# JOURNAL *of the* REGULAR SESSION

OF THE

# HOUSE OF REPRESENTATIVES

OF THE

# COMMONWEALTH OF KENTUCKY

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Begun and Held in the City of Frankfort, the Sixth Day of January, in the Year of Our Lord 1920, and of the Commonwealth One Hundred and Twenty-Eight.

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PROPERTY OF THE STATE OF KENTUCKY

# JOURNAL

OF THE

# HOUSE OF REPRESENTATIVES

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TUESDAY, JANUARY 6, 1920.

At a General Assembly of the Commonwealth of Kentucky, begun and held at the Capitol, in the city of Frankfort, on Tuesday, the 6th day of January, 1920, and the one hundred and twenty-eighth year of the Commonwealth, that being the day fixed by the Constitution for the meeting thereof, Eli Berry, Chief Clerk of the House of Representatives, last passed, called the House to order, and, after prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, produced and read the following certificate from the Secretary of State, to-wit:

LEGISLATURE 1920.

MEMBERS OF HOUSE OF REPRESENTATIVES

Adair and Taylor—36th District—T. R. Stults (R), Columbia.

Allen—38th District—R. O. Huntsman (R), Scottsville.

Anderson—45th District—B. L. Cox (D), Lawrenceburg.

Ballard and Carlisle—2nd District—J. W. Geveden (D), Arlington.

Barren—29th District—J. Wood Vance (D), Cave City.

Bath and Rowan—96th District—Sidney Alfrey (R), Farmers.

Bell—84th District—Jo F. Bosworth (R), Middlesboro.

Boone and Grant—62nd District—Elmer Lusby (D), Keefer.

Bourbon—73rd District—J. H. Thompson (D), Paris.

Boyd—89th District—Daniel Vose (R), Catlettsburg.

Boyle—43rd District—Claude D. Minor (D), Perryville.

Bracken and Pendleton—68th District—Dr. S. D. Laughlin (D), Augusta.

Breathitt and Lee—79th District—Thos. C. Pryse (R), Beattyville.

Breckinridge and Hancock—22nd District—Roy J. Cain (R), Irvington.

Bullitt and Spencer—33rd District—B. F. Shields (D), Taylorsville.

Butler and Edmonson—24th District—E. W. Neel (R), Morgantown.

Caldwell—6th District—Will Carner (R), Princeton.

Calloway—7th District—T. P. Oliver (D), New Concord.

Campbell—66th District—C. B. Truesdell (R), Newport.

Campbell—67th District—Chas. M. Ciarlo (R), Covington.

Carroll and Gallatin—60th District—W. H. Winn (D), Warsaw.

Carter—87th District—John B. Denuse (R), Grayson.

Casey and Russell—39th District—Lee Rogers (R), Gravel Switch.

Christian—14th District—V. M. Williamson (R) Hopkinsville.

Clark—77th District—John W. Swope (D), Winchester.

Clay and Owsley—85th District—Roscoe C. Marcum (R), Big Creek.

Clinton and Cumberland—38th District—S. G. Smith (R), Albany.

Crittenden and Livingston—5th District—R. E. Wilborn (R), Marion.

Daviess—City of Owensboro—20th District—J. S. Cruse (R).

Daviess—County—19th District—Griffin Kelly (D), Maceo.

Elliott and Lawrence—90th District—E. E. Shannon (D), Louisa.

Estill and Jackson—80th District—H. N. Dean (R), Clover Bottom.

Fayette—County—75th District—A. L. Hamilton (D), Lexington.

Fayette—City of Lexington—76th District—H. H. Barnes (R), Lexington.

Fleming—72nd District—Chas. R. Scott (D), Sherburne.

Floyd—93rd District—William A. Stewart (R), Langley.

Franklin—49th District—W. P. Scott (D), Frankfort.

Fulton and Hickman—1st District—Lon Adams (D), Fulton.

Garrard—48th District—Mack J. Morgan (R), Lancaster.

Graves—3rd District—Robert Humphreys (D), Mayfield.

Grayson—23rd District—S. C. Ray (R), Leitchfield.

Green and Hart—30th District—John M. Foster (R), Greenburg.

Greenup—88th District—A. S. Cooper (R), Greenup.

Hardin—31st District—C. A. Nelson (D), White Mills.

Harlan and Leslie—98th District—Adam W. Huff (R), Confluence.

Harrison—71st District—H. C. Duffy (D), Cynthiana.

Henderson—11th District—J. W. Johnson (D), Henderson.

Henry and Owen—61st District—John A. Lee (D), Owenton.

Hopkins—13th District—Jewell S. Webb (R), Erlington.

Jefferson—51st District—Homer C. McLellen (R), Louisville.

Jefferson—52nd District—A. R. Hudson (R), Louisville.

Jefferson—53rd District—B. J. Goehringer (R), Louisville.

Jefferson—54th District—B. A. Roth (R), Louisville.

Jefferson—55th District—Joseph Lazarus (R), Louisville.

Jefferson—56th District—J. L. Richardson (R), Louisville.

Jefferson—57th District—Henry Kaufman (R), Louisville.

Jefferson—58th District—Dr. Lewis Ryans (R), Louisville.

Jessamine—47th District—Dr. T. R. Welch (D), Nicholasville.

Johnson and Martin—91st District—Fred C. VanHoose (R), Mingo.

Kenton—63rd District—John T. Murphy (D), Covington.

Kenton—64th District—R. G. Bryson (R), Covington.

Knott and Magoffin—99th District—R. Lee Stewart (R), Hindman.

Knox—83rd District—Sam Bennett (R), Lay.

Larue and Nelson—34th District—John B. Thomas (D), Bloomfield.

Laurel and Rockcastle—81st District—R. L. McFerron (R), Mt. Vernon.

Letcher and Perry—97th District—Talbert Holliday (R), Hazard.

Lewis—86th District—John L. Trumbo (R), Tolesboro.

Lincoln—42nd District—H. G. Skiles (D), Crab Orchard.

Logan—16th District—P. A. Day (D), Russellville.

Lyon and Marshall—8th District—Dr. Daniel J. Travis (D), Eddyville.

Madison—78th District—Leonard Ballard (R), Richmond.

Marion—35th District—J. M. Knott (D), Lebanon.

Mason—69th District—Dr. W. S. Yazell (R), Maysville.

McCracken—4th District—J. T. E. Stites (D), Paducah.

McCreary and Wayne—40th District—Dr. T. H. Gamblin (R), Monticello.

McLean—18th District—Dr. Will L. Haynes (D), Calhoun.

Meade—32nd District—W. M. Boling (D), Brandenburg.

Menifee and Montgomery—95th District—T. L. Caudel (D), Brandenburg.

Mercer and Washington—44th District—A. M. Wash (R), Harrodsburg.

Metcalfe and Monroe—37th District—Hebron Lawrence (R), Tompkinsville.

Morgan—100th District—Frank Kennard (D), Logville.

Muhlenberg—17th District—A. J. McCandless (R), Cleaton.

Nicholas and Robertson—70th District—B. F. Reynolds (D), Carlisle.

Ohio—21st District—I. S. Mason (R), Beaver Dam.

Oldham and Trimble—59th District—R. A. Spillman (D), Bedford.

Pike—92nd District—J. M. Billiter (R), Majestic.

Powell and Wolfe—94th District—Sherman Robbins (R), Stanton.

Pulaski—41st District—Gladstone Wesley (R), Somerset.

Scott—74th District—Geo. C. Waggoner (D), Georgetown.

Shelby—50th District—W. T. Beckham (D), Shelbyville.

Simpson—27th District—Dr. W. L. Gossett (D), Franklin.

Todd—15th District—W. L. Kimbrough (R), Guthrie.

Trigg—9th District—A. F. Hanberry (R), Cadiz.

Union—10th District—J. Mack Thompson (D), Sturgis.

Warren—City of Bowling Green—25th District—Frank L. Strange (D), Bowling Green.

Warren—County—26th District—W. G. Wheeler (D), Bowling Green, R. F. D. 6.

Webster—12th District—E. C. Hardin (D), Wheatcraft.

Whitley—82nd District—J. F. Carr (R), Deering.

Woodford—46th District—David J. Howard (D), Versailles.

COMMONWEALTH OF KENTUCKY—OFFICE OF THE SECRETARY OF STATE.

I, James P. Lewis, Secretary of State for the Commonwealth of Kentucky, do certify that the hereto attached list contains the names and addresses of the persons purported to have been elected as members of the House of Representatives, Kentucky Legislature, at the November election, 1919.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done at Frankfort, this 3rd day of January, 1920.

(Signed) JAMES P. LEWIS,
(Seal) *Secretary of State.*

The roll of members was called and the following members answered to their names, to wit:

| | | |
|---|---|---|
| Lon Adams | T. L. Caudel | J. W. Geveden |
| Sidney Alfrey | Charles M. Ciarlo | Dr. W. L. Gossett |
| L. H. Ballard | A. S. Cooper | A. L. Hamilton |
| H. H. Barnes | B. L. Cox | A. F. Hanberry |
| S. M. Bennett | J. S. Cruse | E. C. Hardin |
| J. M. Billiter | P. A. Day | Dr. W. L. Haynes |
| W. M. Boling | H. N. Dean | Talbert Holliday |
| Jo F. Bosworth | J. B. Denues | D. J. Howard |
| Rodney G. Bryson | H. C. Duffy | A. R. Hudson |
| Roy J. Cain | J. M. Foster | Adam W. Huff |
| W. T. Carner | Dr. T. H. Gamblin | Robt. Humphreys |
| J. F. Carr | B. J. Goehringer | R. O. Huntsman |

| | | |
|---|---|---|
| J. W. Johnson | Chas. A. Nelson | T. R. Stults |
| Henry Kaufman | T. P. Oliver | John W. Swope |
| Griffin Kelly | T. C. Pryse | John B. Thomas |
| Frank Kennard | S. C. Ray | J. Mack Thompson |
| W. L. Kimbrough | B. F. Reynolds | J. H. Thompson |
| J. M. Knott | J. L. Richardson | Dr. D. J. Travis |
| Dr. S. D. Laughlin | Sherman Robbins | C. B. Truesdell |
| Hebron Lawrence | Lee Rogers | John L. Trumbo |
| Joseph Lazarus | B. A. Roth | J. Wood Vance |
| Rev. J. A. Lee | Dr. Lewis Ryans | Fred C. VanHoose |
| Elmer Lusby | Chas. R. Scott | Daniel Vose |
| R. C. Marcum | W. P. Scott | Geo. C. Waggoner |
| I. S. Mason | E. E. Shannon | A. M. Wash |
| A. J. McCandless | Dr. B. F. Shields | J. S. Webb |
| R. L. McFerron | H. G. Skiles | Dr. T. R. Welch |
| Homer C. McLellen | S. G. Smith | Gladstone Wesley |
| Harry J. Meyers | H. A. Spillman | W. G. Wheeler |
| Claude D. Minor | R. Lee Stewart | R. E. Wilborn |
| Mack J. Morgan | Wm. A. Stewart | V. M. Williamson |
| John T. Murphy | John T. E. Stites | W. N. Winn |
| Estill W. Neel | Frank L. Strange | Dr. W. S. Yazell |

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The oath of office was then administered to each of said members of the House by Justice Rollin Hurt, of the Court of Appeals.

The Chief Clerk then announced that the election of a Speaker of the House of Representatives was in order.

Mr. Joseph Lazarus named Hon. Jo. F. Bosworth, of the county of Bell, as a suitable person to fill said office.

Mr. E. C. Hardin named Hon. J. H. Thompson, of Bourbon county, as a suitable person to fill said office.

The vote being taken resulted as follows, to wit:

Those who voted for Hon. Jo F. Bosworth were—

| | | |
|---|---|---|
| Sidney Alfrey | A. R. Hudson | Lee Rogers |
| L. H. Ballard | Adam W. Huff | B. A. Roth |
| H. H. Barnes | R. O. Huntsman | Dr. Lewis Ryans |
| S. M. Bennett | Henry Kaufman | S. G. Smith |
| J. M. Billiter | W. L. Kimbrough | R. Lee Stewart |
| Rodney G. Bryson | Hebron Lawrence | Wm. A. Stewart |
| Roy J. Cain | Joseph Lazarus | T. R. Stults |
| W. T. Carner | R. C. Marcum | J. H. Thompson |
| J. F. Carr | I. S. Mason | C. B. Truesdell |
| Charles M. Ciarlo | A. J. McCandless | John L. Trumbo |
| A. S. Cooper | R. L. McFerron | Fred C. VanHoose |
| J. S. Cruse | Homer C. McLellen | Daniel Vose |
| H. N. Dean | Mack J. Morgan | A. M. Wash |
| J. B. Denues | Estill W. Neel | J. S. Webb |
| J. M. Foster | T. C. Pryse | Gladstone Wesley |
| B. J. Goehringer | S. C. Ray | R. E. Wilborn |
| A. F. Hanberry | J. L. Richardson | V. M. Williamson |
| Talbert Holliday | Sherman Robbins | Dr. W. S. Yazell |

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Those who voted for Hon. J. H. Thompson were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | E. E. Shannon |
| W. M. Boling | Griffin Kelly | Dr. B. F. Shields |
| Jo F. Bosworth | Frank Kennard | H. G. Skiles |
| T. L. Caudel | J. M. Knott | H. A. Spillman |
| B. L. Cox | Dr. S. D. Laughlin | John T. E. Stites |
| P. A. Day | Rev. J. A. Lee | Frank L. Strange |
| H. C. Duffy | Elmer Lusby | John W. Swope |
| Dr. T. H. Gamblin | Harry J. Meyers | John B. Thomas |
| J. W. Geveden | Claude D. Minor | J. Mack Thompson |
| Dr. W. L. Gossett | John T. Murphy | Dr. D. J. Travis |
| A. L. Hamilton | Chas. A. Nelson | J. Wood Vance |
| E. C. Hardin | T. P. Oliver | Geo. C. Waggoner |
| Dr. W. L. Haynes | B. F. Reynolds | Dr. T. R. Welch |
| D. J. Howard | Chas. R. Scott | W. G. Wheeler |
| Robt. Humphreys | W. P. Scott | W. N. Winn |

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Hon Jo F. Bosworth, having received the majority of votes cast, a majority of all the members elected being present and voting, was declared duly elected Speaker of the House of Representatives.

Mr. George C. Waggoner moved that the vote by which said Bosworth was elected be made unanimous, which motion was duly carried and it was so ordered. Thereupon the Chief Clerk appointed Mr. Joseph Lazarus, Mr. J. H. Thompson and Mr. George C. Waggoner as a committee to escort the newly elected Speaker to the chair, which duty they immediately performed.

The Speaker returned his thanks to the House for the honor conferred and earnestly recommended that members be diligent in carrying out the pledges made to their constituents. He asked for the support of the membership in securing order and decorum during the session. He then announced that he was ready to take the oath of office and thereupon said oath, as required by the Constitution and laws of the State, was duly administered to him by Justice Rollin Hurt, of the Court of Appeals.

The Speaker then announced that the next order of business was the election of a Chief Clerk of the House of Representatives.

Mr. Joseph Lazarus named Lilburn Phelps, of Jamestown, Ky., as a suitable person for Chief Clerk of the House.

Mr. E. C. Hardin named former Chief Clerk, Eli Berry, of Owensboro, Kentucky, as a suitable person for that office.

Mr. Lazarus then moved that nominations for Chief Clerk be closed, which motion was duly put and carried and it was so ordered.

The vote being taken between those nominated for said office resulted as follows, to wit:

Those who voted for Lilburn Phelps were—

| | | |
|---|---|---|
| Sidney Alfrey | Talbert Holliday | Lee Rogers |
| L. H. Ballard | A. R. Hudson | B. A. Roth |
| H. H. Barnes | Adam W. Huff | Dr. Lewis Ryans |
| S. M. Bennett | R. O. Huntsman | S. G. Smith |
| J. M. Billiter | Henry Kaufman | R. Lee Stewart |
| Jo F. Bosworth | W. L. Kimbrough | Wm. A. Stewart |
| Rodney G. Bryson | Hebron Lawrence | T. R. Stults |
| Roy J. Cain | Joseph Lazarus | C. B. Truesdell |
| W. T. Carner | R. C. Marcum | John L. Trumbo |
| J. F. Carr | I. S. Mason | Fred C. VanHoose |
| Charles M. Ciarlo | A. J. McCandless | Daniel Vose |
| A. S. Cooper | R. L. McFerron | A. M. Wash |
| J. S. Cruse | Homer C. McLellen | J. S. Webb |
| H. N. Dean | Mack J. Morgan | Gladstone Wesley |
| J. B. Denues | Estill W. Neel | R. E. Wilborn |
| J. M. Foster | T. C. Pryse | V. M. Williamson |
| Dr. T. H. Gamblin | S. C. Ray | Dr. W. S. Yazell |
| B. J. Goehringer | J. L. Richardson | |
| A. F. Hanberry | Sherman Robbins | —55 |

Those who voted for Eli Berry were—

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | Claude D. Minor |
| W. M. Boling | Robt. Humphreys | John T. Murphy |
| T. L. Caudel | J. W. Johnson | Chas. A. Nelson |
| B. L. Cox | Griffin Kelly | T. P. Oliver |
| P. A. Day | Frank Kennard | B. F. Reynolds |
| H. C. Duffy | J. M. Knott | Chas. R. Scott |
| J. W. Geveden | Dr. S. D. Laughlin | W. P. Scott |
| Dr. W. L. Gossett | Rev. J. A. Lee | E. E. Shannon |
| E. C. Hardin | Elmer Lusby | Dr. B. F. Shields |
| Dr. W. L. Haynes | Harry J. Meyers | H. G. Skiles |

| | | |
|---|---|---|
| H. A. Spillman | J. H. Thompson | Dr. T. R. Welch |
| John T. E. Stites | J. Mack Thompson | W. G. Wheeler |
| Frank L. Strange | Dr. D. J. Travis | W. N. Winn |
| John W. Swope | Geo. C. Waggoner | |
| John B. Thomas | J. Wood Vance | —43 |

Mr. E. C. Hardin moved that the election of Mr. Phelps be made unanimous. It was so ordered.

Mr. Lilburn Phelps having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Chief Clerk of the House of Representatives.

Then came said Lilburn Phelps and the oath of office was duly administered to him by Justice Flem D. Sampson, of the Court of Appeals.

The Speaker then announced that the next order of business was the election of an Assistant Clerk of the House.

Mr. Joseph Lazarus named Honorable J. A. Leach, of Beaver Dam, Kentucky, as a suitable person to fill the office of Assistant Clerk of the House.

There being no other nomination, the roll was called and those voting for Mr. Leach were—

| | | |
|---|---|---|
| Lon Adams | J. F. Carr | J. M. Foster |
| Sidney Alfrey | T. L. Caudel | Dr. T. H. Gamblin |
| L. H. Ballard | Charles M. Ciarlo | B. J. Goehringer |
| H. H. Barnes | A. S. Cooper | A. F. Hanberry |
| S. M. Bennett | B. L. Cox | E. C. Hardin |
| J. M. Billiter | J. S. Cruse | Talbert Holliday |
| W. M. Boling | P. A. Day | Adam W. Huff |
| Jo F. Bosworth | H. N. Dean | R. O. Huntsman |
| Rodney G. Bryson | J. B. Denues | J. W. Johnson |
| W. T. Carner | H. C. Duffy | Henry Kaufman |

| | | |
|---|---|---|
| Griffin Kelly | B. F. Reynolds | T. R. Stults |
| Frank Kennard | J. L. Richardson | John W. Swope |
| W. L. Kimbrough | Sherman Robbins | J. Mack Thompson |
| J. M. Knott | Lee Rogers | Dr. D. J. Travis |
| Dr. S. D. Laughlin | B. A. Roth | C. B. Truesdell |
| Hebron Lawrence | Dr. Lewis Ryans | John L. Trumbo |
| Joseph Lazarus | Chas. R. Scott | J. Wood Vance |
| Elmer Lusby | W. P. Scott | Fred C. VanHoose |
| R. C. Marcum | E. E. Shannon | Daniel Vose |
| I. S. Mason | Dr. B. F. Shields | Geo. C. Waggoner |
| A. J. McCandless | H. G. Skiles | A. M. Wash |
| R. L. McFerron | S. G. Smith | J. S. Webb |
| Homer C. McLellen | H. A. Spillman | Gladstone Wesley |
| Harry J. Meyers | R. Lee Stewart | W. G. Wheeler |
| Mack J. Morgan | Wm. A. Stewart | R. E. Wilborn |
| Estill W. Neel | John T. E. Stites | V. M. Williamson |
| S. C. Ray | Frank L. Strange | Dr. W. S. Yazell |

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Said J. A. Leach having received a majority of all members of the House for said office, was declared duly elected as Assistant Clerk of the House for the present session.

Mr. A. S. Cooper moved that the Speaker appoint a day for memorial services for Hon. Reuben Hutchcraft, a former member of this House from the county of Bourbon, who lost his life with the Americn Expeditionary Forces in the battle of the Argonne, and said motion being put it was duly carried and the Speaker thereupon appointed Messrs. Cooper, J. H. Thompson and George C. Waggoner a committee to arrange for memorial services on the death of Capt. Reuben Hutchcraft to be held in the hall of the House of Representatives on Wednesday, Jan. 14, 1920, between the hours of twelve, noon, and one o'clock p. m.

Mr. Harry J. Meyers asked that nuanimous consent of the House be given for the election of all remaining officers

by acclamation, and a vote being taken thereon it was so ordered, there being no objection.

The Speaker thereupon declared that unanimous consent had been given for said purpose and directed that a list of the nominees for the remaining officers of the House be sent to the Clerk's desk, which was done accordingly.

Senators Brock, Harris and Metzger, a committee from the Senate, appeared on the floor of the House and notified this body that the Senate is duly organized and ready for business and requested that when this House is duly organized the Speaker appoint a committee to act in conjunction with the committee from the Senate, to notify the Governor that the General Assembly is duly organized and ready to receive any communication that he may have to make.

Miss Zilpha Roberts, of Leslie county, Kentucky, was named by Mr. Lazarus as a suitable person for Enrolling Clerk of the House.

There being no other nomination for said office the vote was taken and said Zilpha Roberts having received a majority of all the members elected to the House, was duly elected Enrolling Clerk for the present session.

Mr. Lazarus then named Mr. John Cook, of Hancock county, as a suitable person to fill the office of Sergeant-at-Arms.

There being no other nomination the vote was taken and Mr. Cook received the votes of a majority of all the members elected to the House and was thereupon declared duly elected Sergeant-at-Arms of the House.

Mr. Lazarus named Luther Perryman as a suitable person to fill the office of Doorkeeper.

There being no other nomination the vote was taken and Mr. Perryman received the votes of a majority of all members elected to this House.

Mr. Lazarus then named Wm. Porter as a suitable person to fill the office of Cloakroom Keeper.

There being no other nomination the vote was taken.

Mr. Porter received the votes of a majority of all the members elected to the House and was thereupon declared duly elected Keeper of the Cloakroom.

Mr. Lazarus then named James A. Ray as a suitable person to fill the office of Assistant Keeper of the Cloakroom.

There being no other nomination the vote was taken and said Ray received the vote of a majority of all members elected to the House.

He was thereupon declared duly elected as Assistant Keeper of the Cloakroom.

Mr. Lazarus then named Edgar McCandless as a suitable person to fill the office of Janitor for the House of Representatives.

There being no other nomination the vote was taken and Mr. McCandless received the votes of a majority of all the members elected to the House and was thereupon declared duly elected to said office.

Mr. Lazarus then named the following as suitable persons for pages in the House of Representatives, to wit: Robert Humble, Charles Neel, Don Cain and Marvin Wash.

There being no other persons nominated the vote was taken and each of said persons received the votes of a majority of all members elected to the House.

Thereupon the Speaker declared that Robert Humble, Charles Neel, Don Cain and Marvin Wash were duly elected pages of the House for the present session.

Thereupon came all of said officers elect to the bar of the House and took the oath of office as required by the Constitution and laws of this State, Justice Rollin Hurt, of the Court of Appeals, administering said oath.

The House being now fully organized, the Speaker appointed Joseph Lazarus, Dr. Lewis Ryans and Mr. H. C. Duffy a committee to notify the Senate that the House is organized and ready for business and to act in conjunction with a like committee of the Senate, already appointed, to notify the Governor that the two Houses of the General Assembly are duly organized and ready for business and are ready to hear any communication that he may desire to make to the General Assembly.

Thereupon said committee proceeded to notify the Senate that the House is duly organized and ready for business and in conjunction with the committee from the Senate, Senators Brock, Metzger and Harris, also proceeded to notify the Governor of the organization of the General Assembly and of its readiness to hear any communication from him.

After a time said committee reported that its duties had been performed.

Mr. Meyers offered the following resolution, to wit:

H. Res. 1. Resolution to adjourn over to one o'clock p. m. Monday next, January 12th, 1920.

Be it resolved that when the House adjourns on this day it do adjourn to meet Monday, January 12th, at one o'clock p. m., the Senate concurring therein.

Mr. Meyers then moved that the rules be suspended and that said resolution be taken up immediately for consideration. Said motion was adopted.

Then said resolution was adopted.

Mr. E. C. Hardin offered the following resolution, to wit:

Be it resolved by the House of Representatives that the rules governing the 1918 session of the House of Representatives be adopted as the temporary rules by which this body shall be governed until the Committee on Rules has prepared and reported the rules for the 1920 session and until said report shall have been adopted.

Said resolution was adopted.

Mr. H. C. Duffy offered the following resolutions, to wit:

No. 1. Moved that Speaker appoint a committee of three to prepare suitable resolutions and memorial services in memory of the late Capt. Reuben Hutchcraft and that the Speaker fix a time for the report of the resolutions and the performance of the ceremonies.

No. 2. Moved that when this House adjourns it adjourn out of respect to the memory of Capt. Reuben Hutchcraft, his services, civil and military.

Mr. Duffy spoke briefly and eloquently about the service of Capt. Hutchcraft, both as a statesman and as a soldier, after which the Speaker appointed the following committee: H. C. Duffy, Geo. C. Waggoner and J. L. Richardson to prepare resolutions on the death of said Hutchcraft and present same to this House on Wednesday, January 14th, 1920.

Mr. C. A. Nelson offered the following resolution, to wit:

Be it resolved by this House of Representatives that the white ministers of Frankfort be invited to daily open this House in prayer, and be it further resolved that the Sergeant-at-Arms be authorized to arrange with them for their services.

Mr. Fred C. VanHoose offered the following amendment to said resolution, to wit:

That this resolution be amended to read as follows:

That the ministers of this House shall conduct the devotional exercise thereof.

Said amendment was rejected, then said resolution was adopted.

Mr. Griffin Kelly offered the following resolution, to wit:

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring, that the Senate of the United States is requested to ratify without further delay the Versailles Peace Treaty, including the League of Nations Covenant, and that without amendment, or reservations other than those which may fairly and reasonably interpret the terms thereof.

M. H. C. Duffy made the point of order against the resolution that the Kentucky House of Representatives has nothing to do with the Versailles Peace Treaty.

The Speaker ruled that the point of order was well taken and that the aforesaid resolution was out of order.

It was then announced that the Senate was about to arrive in the Hall of the House of Representatives for a joint session to be held for the purpose of receiving any communication that the Governor might desire to make.

The joint session was called to order by Lieutenant Governor Thruston S. Ballard.

Hon. E. P. Morrow, Governor, appeared before the joint session and proceeded to deliver his address to the General Assembly, which is as follows, to wit:

*Gentlemen of the Senate and House of Representatives:*

In an hour of need the people of Kentucky have selected you as their representatives in the General Assembly. By your own seeking you are here to stand for, act for and serve a splendid people. Problems of the highest importance, matters and policies of most vital concern to the good of Kentucky, and the welfare of its people confront you. In the performance of the duties that await you I am confident you will act with wisdom, discretion and patriotism and with a profound consciousness of great responsibility.

Almost in equal numbers you are members of the two dominant political parties. In the campaign which resulted in your election, both parties made certain definite promises and pledges, and in solemn platform declarations announced their positions concerning certain proposed constructive, progressive legislation. It is my purpose in this message to call your attention alone to those matters, policies and reforms to which you stand committed by your party's solemn covenant, and which have been demanded and approved with unexampled emphasis and certainty by the sovereign will of the people expressed at the polls.

The passion, bitterness and strife of the late campaign are ever-forgotten and forgiven alike by all. We are no longer divided. There is, and should be, no occasion for injecting into your deliberations any measure of a purely political character. If partisanship shall divide us, if political alignments shall hinder and obstruct the due course of much needed constructive and progressive legislation, I intend to see to it that responsibility therefor shall be fixed, known and

certain and shall be assumed by those who think more of their party than they do of their State. There will not and shall not be introduced with my consent or approval, any measure seeking a political advantage for my party, or which has its entrenchment in power as its purpose. There is little difference between a policy of party aggression and party obstruction, because in both, the ideal of service to the people is lost and forgotten. In this spirit I recommend that you proceed without delay and complete as soon as it may be well and wisely done, legislation providing for:

1. The abolition of every useless office, the immediate dismissal of every useless official and the consolidation, wherever possible, of Boards and Commissions.

2. The repeal of the law now providing for the control of our charitable and penal institutions, and the passage in its stead of a comprehensive law which shall properly provide for their operation under a system which shall increase efficiency in their management and forever divorce them from the evils of political control.

3. The enactment of legislation sorely needed for the benefit of the State's public schools and institutions of higher learning.

4. The removal of the judiciary from politics and the selection and retention of judicial officers under a non-partisan plan.

5. The ratification of the Federal Amendment granting equal suffrage to women and for their enfranchisement in State and nation.

6. The enforcement of nation and state-wide prohibition.

7. The repeal or amendment of the present compulsory primary election law.

8. The dismissal from office of any officer charged with the duty of protecting prisoners who shall surrender them to mobs.

9. The development of our agricultural and natural resources, including the stimulation and protection of our oil and gas industries.

10. The creation of a more efficient and comprehensive Department of Labor.

11. The construction and maintenance of a permanent system of state highways and extension of the good roads movement into every county of Kentucky.

12. The correction and revision of the present tax law so as to make assessments of every class of property just and equitable and to limit, within reasonable bounds, the arbitrary power of the State Tax Commission to increase assessments made by local boards.

USELESS OFFICES AND OFFICERS.

No man has the moral or legal right to be paid for services which he does not perform, and no state official should draw a penny from the public funds unless he has rendered adequate returns in real service. A political job should not be a private snap. Nothing so justly outrages public sentiment or prevents real service as the retention and perpetuation of unnecessary and useless public officials. The people behold in such a condition the needless waste of their money, and honest, energetic public servants are given a wretched example of one who, though well paid, toils not, and the faithful servant is thereby made dissatisfied and discontented. Every useless office should be immediately abolished and every needless officer immediately discharged.

The following offices and officers are and have been for several years considered as needless and useless and should therefore be abolished:

1. The Fire Marshal and deputies under him.

2. Employes in the Department of Agriculture, employed for the purpose of enforcing the Dog License Law and known as "Dog License Inspector."

3. Chauffeurs and License Inspectors under the Automobile Department.

4. The State Forester and Deputy Forester under him.

5. The Insurance Rating Board should be abolished and consolidated with the General Department of Insurance.

6. The entire Automobile Department to be abolished and the collection of automobile license taxes placed in the hands of county court clerks of the various counties and a nominal license fee, in addition to the regular license tax, paid them by the persons securing the license. Such a plan will save the state the salaries of a Commissioner of Motor Vehicles, the clerical force under him, and most of the costs of postage incident to the distribution of license tags and should, under the provision of a plan which will be submitted to you, save the state at least $25,000 per year.

The State of Kentucky is spending annually more than $8,000,000. This expenditure should be checked, not only by an accounting audit, but there should be established a continuous audit of operating results.

Example: The present audit of public accounts will disclose whether the orders for printing are according to law and the prices according to contract. This is a financial audit. An operating audit would point out whether or not the state is paying an exhorbitant sum for its printing and whether or not unnecessary printing is being done. Under a financial audit the books of the School of Reform might be found to balance whereas an operating audit might show that a 200 acre farm had been operated so poorly as to occasion a loss of several thousand dollars. There should be a system devised by which the executive, and through him the people of Kentucky, may be kept constantly advised as to whether or not their funds are being economically expended and whether they are producing results adequate to the outlay.

The General Assembly should rigidly investigate the various departments and institutions of the state government, and should unhesitatingly recommend any and every

measure to correct extravagance, prevent waste and to detect and punish those guilty of the misapplication of the public funds.

### Penal and Charitable Institutions.

To preserve the good name of the state our penal and charitable institutions must be absolutely and forever freed from the blighting, damning system of partisan, political domination. Under this backward and inhuman system the black hand of politics strangles efficiency, turns asylums into guard houses, feeble-minded homes into mere places of detention, penitentiaries and schools of reform into places of darkness and punishment alone, and makes of their helpless and defenseless inmates but pawns in the game of politics. There will be presented for your consideration a bill prepared by members of both parties providing a complete and compehensive plan for the control and management of our correctional and humane institutions, under which the evils of political control will forever disappear, and these institutions so operated as to reflect the real heart and soul of Kentucky.

### Schools and Colleges.

The health, happiness and prosperity of our people, the use and development of our natural resources, the preservation of our liberties, the perpetuity of our institutions are dependent upon and determined by the diffusion of the right knowledge and by our attitude towards schools. The gravity of the times through which we are passing gives new emphasis to the importance of education and imposes new obligations upon our schools. It is not too much to say that, in this hour of crisis, our schools are, in almost literal truth, our ark of covenant in which reposes democracy's hope. A vigorous Americanism, that values citizenship in our repub-

lic, that appreciates our institutions and ideals, that cherishes no other soul-loyalty, that thinks and acts in terms of no class but of all the people, constitutes our chief bulwark against the spirit of unrest and anarchy at work among us. Our schools must foster this as their first duty and universal education must accompany universal suffrage. The duties of citizenship must be stressed no less than its rights.

### Rural Education.

The deplorable condition of our rural schools compels your immediate attention. Eighty per cent of our children live in rural districts and for that reason the problem of education becomes a problem of rural conditions. Kentucky has neglected her country children. In many parts of the country schools are taught in archaic buildings, buildings without proper equipment and often without suitable playgrounds. Rural teachers are so poorly paid that many counties have been unable to procure the required number of teachers for their schools during the present school year. While the law fixes the minimum salary at $45.00, the salaries paid to teachers in rural schools range from $35.00 to $70.00 per month, or from $210.00 to $420.00 per year. The inevitable consequence of failure to pay a living wage has been to drive from the profession its best material and fewer young men and women are choosing teaching as a profession. State and county administration of public schools is subject to the uncertainties and baleful influence of politics. Local support by local taxation in the various counties is low, or lacking altogether, and school sentiment in many of them is fast disappearing. It is no exaggeration to say that we are facing a crisis in rural education. Immediate relief must be furnished, or the doors of these schools, poor as they are, will be closed to the children of the state and the general cause of rural education seriously hampered and retarded.

RECOMMENDATIONS.

Your wisdom and patriotism will meet this situation in a way worthy of Kentucky. A survey commission composed of trained, educational experts should be provided for in order that we may know just where the trouble lies and the way to remedy it. The State Superintendent of Public Instruction and County School Superintendents should be elected upon a non-partisan plan and their offices entirely removed from political influence. A constitutional provision should be submitted for the purpose of making the State Superintendent a statutory, rather than constitutional officer, and it may be the part of wisdom to provide that both State and County Superintendents should be appointed rather than elected. The pay of rural school teachers should be substantially increased and such a minimum salary provided as will secure trained and competent teachers, and capable administrative County Superintendents. To this end there should be enacted a law fixing such a minimum levy in each county for school purposes as will enable increased pay for those in charge of rural schools and which will provide for the proper maintenance and equipment of such schools. In this matter generosity is economy and saving extravagance. Education is an investment; ignorance a tax.

NON-PARTISAN JUDICIARY.

The stain of politics too often besmirches the ermine of the judge. Political power and influence too often corrupt the very fountain-head of justice. The bench must be placed above and beyond the power of partisan politics. To the end that law shall be upheld, respected, obeyed and administered without fear or favor, Appellate and Circuit Judges should be elected under a non-partisan plan, without party emblem or designation. Fitness and qualification alone should determine their selection. The man who opposes the removal of the judiciary from the slough of politics is not

actuated by a conscientious desire for the administration of justice, but is prompted alone by his own selfish aims and mean ambition.

### Woman's Suffrage.

A government "of the people by the people" cannot and does not exist in a Commonwealth in which one-half of its citizens are denied the right of suffrage. The women of Kentucky are citizens of Kentucky, and there is no good or just reason why they should be refused the full and equal exercise of the sovereign right of every free people—the ballot. Every member of this General Assembly is unequivocally committed by his party's platform declaration to cast his vote and use his influence for the immediate enfranchisement of women in both nation and state. Party loyalty—faithkeeping with the people, and our long boasted chivalry—all demand that the General Assembly of Kentucky shall break all previous speed records in ratifying the Federal Suffrage Amendment, and passing all measures granting political rights to women.

### Enforcement of Prohibition Amendment.

The Federal Prohibition Amendment has been ratified by the required number of States and by a direct vote the people of Kentucky have adopted a prohibition amendment to the State Constitution. It is the duty of the General Assembly to pass all laws necessary for the enforcement of both of said amendments.

### Primary Election Law.

The compulsory Statewide Primary Law is not, and has not been successful in general operation, and has failed to secure the results sought and desired at the time of its passage. In Congressional, Judicial and similar districts it produces beneficial and highly satisfactory results and guarantees a

full and intelligent expression of popular will, but in the state at large it has failed to function, and by a fair trial has been demonstrated as cumbersome, unsatisfactory and as hindering rather than assisting the party will in the making of party nominations for state offices. In practice it has deterred many capable and desirable candidates from seeking party nomination because of loss of time and the necessary and legitimate outlay of money for postage, publicity, etc., incident to a statewide campaign. This law should be repealed in so far as it affects candidates seeking nomination of a statewide character.

### Mob Violence.

The people of Kentucky are opposed to mobs and mob violence, and do not desire to be served by a cowardly public officer who surrenders a prisoner at the demand of those who, crying out in the name of the law, break, disgrace and destroy law. A statute, in compliance with the constitutional amendment just adopted, should be passed providing for the automatic removal of any peace officer or jailer who surrenders a prisoner at the unlawful demand of the mob.

### Agricultural and Industrial Development.

Bountifully blessed by nature, favorably located geographically, Kentucky should, long ago, have taken gigantic strides in industrial and agricultural developments. To stimulate such development, substantial aid should be given for the purpose of extending the work of the State Agricultural Department in carrying on and enlarging the scope of its various activities.

The work of the State University, particularly the Department of Mining, Engineering and Agriculture, should be enlarged and extended and modern equipment provided. The oil and gas industry is rapidly assuming commanding proportions and with proper encouragement and protective leg-

islation this industry should soon be a source of great wealth to the people of the state. It is highly important that both foreign and domestic capital shall be used in the discovery and operation of the various oil-bearing property, and that such property shall be preserved by the enactment of proper laws regulating drilling, etc. This industry should be stimulated and encouraged, not hindered and hampered. A production tax on oil, gas and royalties should be provided in lieu of all taxes when actual development has been secured.

### Labor.

The rapid industrial development of Kentucky requires that you look with particular care to the passage of laws, having in view the welfare of labor; the securing of better working conditions and steady employment of the wage-earner. To this end a separate Department of Labor should be created and given power to promote the employment of labor; to see to working conditions; to enforce laws against child labor; secure safer and more sanitary working conditions and to cooperate with employer and employe for the good of both.

### Good Roads.

The people of Kentucky are entitled to and are demanding good roads. Good roads will produce good schools, good churches, better business and better citizens. They are the veins of the state, through which course trade, commerce and business. Wise provision should be made for a constructive and forward-looking program contemplating the erection and maintenance of a permanent system of highways into and through every county in Kentucky. Such a system should be devised as to take advantage of the opportunity now offered by the Federal Aid plan, and in every way the good roads movement should be stimulated and placed upon the most modern and successful basis.

### Taxation.

The present tax law should be corrected and revised in those particulars in which its actual operation has been shown to be unjust, unfair or unduly oppressive, and proper legislation should be provided to meet and correct abuses, if any, in the manner and method of its administration, and the power of the State Tax Commission to increase assessments made by local boards should be limited within reasonable bounds by provision for appeal by local boards to the Court of Appeals from the orders of the State Tax Commission requiring increased assessments.

### Public Health.

The Kentucky State Board of Public Health in the highly important and valuable work which it is performing should receive substantial aid in order that the field of its activities shall be extended. Preventable disease in a progressive community is due almost wholly to neglect. Epidemics must be fought and regulated; tuberculosis must not be permitted without opposition to extend its deadly menace. It is a crime, with preventable means at hand, that any child should lose its vision through trachoma. The ever-growing menace of venereal disease must be frankly spoken of and courageously and scientifically met and destroyed.

### Additional Messages.

I have confined this message to legislation and reforms pledged by both political parties, approved by general public opinion and demanded by the will of the people expressed in the last election. In the near future I shall call your attention to the state's financial condition; to the needs, demands and conditions of the state's charitable and penal institutions and to other matters affecting the welfare and progress of the state. Kentucky stands at the parting of the ways—it

must go forward or it must go backward. I am confident that in the discharge of your duties you will reflect the high character, intelligence and patriotism of your constituents, and will seek to give Kentucky the progress, growth and development so earnestly desired by the right-thinking men and women of Kentucky.

"He loves his country most who seeks to make it best."

Respectfully submitted,

EDWIN P. MORROW,
*Governor of Kentucky.*

January 6, 1920.

At the conclusion of the Governor's address Senator Hiram Brock moved that the joint session dissolve.

Said motion was carried and thereupon the joint session was dissolved and members of the Senate retired.

Then the House was called to order by Speaker Bosworth.

Mr. Joseph Lazarus introduced the following resolution, to wit:

"JOINT RESOLUTION RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES ON WOMAN SUFFRAGE.

"Joint Resolution No. —— by the General Assembly of the Commonwealth of Kentucky.

Whereas, the Sixty-sixth Congress of the United States of America, in both Houses, by a constitutional majority of two-thirds thereof, has made the following proposition to amend the Constitution of the United States, in the following words, to wit:

"JOINT RESOLUTION

"Proposing an amendment to the Constitution extending the right of suffrage to women:

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the several states.

"ARTICLE ——

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

"Congress shall have power to enforce this article by appropriate legislation."

Therefore be it resolved by the General Assembly of the Commonwealth of Kentucky that the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the General Assembly of the Commonwealth of Kentucky.

Resolved, that certified copies of the foregoing preamble and resolution be forwarded by the Governor of the Commonwealth of Kentucky to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States and the Speaker of the House of Representatives of the United States.

The Speaker presented to the House the following communication from the Governor, to wit:

"*Gentlemen of the Senate and House of Representatives of Kentucky*:

"I herewith submit for your consideration and deliberation a properly certified copy of a joint resolution of the 66th Congress of the United States of America, proposing an amendment to the Constitution of the United States, providing for woman's suffrage in the various States of the United States.

"Said certified copy is herewith presented to the House of Representatives of the General Assembly of Kentucky as a part of this message, and in due course of legislation will be presented to the Senate of the General Assembly of Kentucky.

"(Signed) EDWIN P. MORROW,
"*Governor of Kentucky.*

"January 6, 1920."

"UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

"*To all to whom these presents shall come, greeting*:

"I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled 'Joint Resolution Proposing an Amendment to the Constitution extending the right of suffrage to women,' the original of which is on file in this department.

"In testimony whereof, I, Frank L. Polk, Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said department, at the city of Washington, this twelfth day of June, 1919.

"(Signed) FRANK L. POLK,
"*Acting Secretary of State.*

(Seal)

"By BEN G. DAVIS,
*Chief Clerk.*

"H. J. Res. 1.

"SIXTY-SIXTH CONGRESS OF THE UNITED STATES OF AMERICA,
AT THE FIRST SESSION.

"Begun and held at the city of Washington on Monday, the nineteenth day of May, one thousand nine hundred and nineteen.

"JOINT RESOLUTION

"Proposing an amendment to the Constitution extending the right of suffrage to women.

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several states.

"ARTICLE ——.

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Congress shall have power to enforce this article by appropriate legislation.

"F. H. GILLETT,
*"Speaker of the House of Representatives.*
"THOMAS R. MARSHALL,
*"Vice President of the United States and President of the Senate."*

Mr. Lazarus moved that the rules be suspended and that the joint resolution aforesaid be taken up for immediate consideration.

Said motion was adopted.

Said resolution was considered and the roll call being had thereon resulted as follows, to wit:

Those who voted for the resolution were—

| | | |
|---|---|---|
| Sidney Alfrey | Adam W. Huff | E. E. Shannon |
| H. H. Barnes | Henry Kaufman | Dr. B. F. Shields |
| S. M. Bennett | Frank Kennard | H. G. Skiles |
| J. M. Billiter | Hebron Lawrence | S. G. Smith |
| Jo F. Bosworth | Joseph Lazarus | H. A. Spillman |
| Rodney G. Bryson | Rev. J. A. Lee | Wm. A. Stewart |
| Roy J. Cain | Elmer Lusby | John T. E. Stites |
| W. T. Carner | R. C. Marcum | T. R. Stults |
| J. F. Carr | I. S. Mason | John W. Swope |
| T. L. Caudel | A. J. McCandless | John B. Thomas |
| A. S. Cooper | R. L. McFerron | J. H. Thompson |
| B. L. Cox | Homer C. McLellen | Dr. D. J. Travis |
| J. S. Cruse | Mack J. Morgan | C. B. Truesdell |
| H. N. Dean | John T. Murphy | John L. Trumbo |
| J. B. Denues | Estill W. Neel | J. Wood Vance |
| J. M. Foster | T. C. Pryse | Fred C. VanHoose |
| Dr. T. H. Gamblin | S. C. Ray | Daniel Vose |
| B. J. Goehringer | B. F. Reynolds | Geo. C. Waggoner |
| J. W. Geveden | J. L. Richardson | A. M. Wash |
| Dr. W. L. Gossett | Sherman Robbins | J. S. Webb |
| A. F. Hanberry | B. A. Roth | Dr. T. R. Welch |
| E. C. Hardin | Dr. Lewis Ryans | Gladstone Wesley |
| D. J. Howard | Chas. R. Scott | R. E. Wilborn |
| A. R. Hudson | W. P. Scott | Dr. W. S. Yazell |

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Those who voted against the resolution were—

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | Chas. A. Nelson |
| L. H. Ballard | R. O. Huntsman | Lee Rogers |
| W. M. Boling | J. W. Johnson | Frank L. Strange |
| Charles M. Ciarlo | Griffin Kelly | J. Mack Thompson |
| P. A. Day | W. L. Kimbrough | W. G. Wheeler |
| H. C. Duffy | J. M. Knott | V. M. Williamson |
| A. L. Hamilton | Dr. S. D. Laughlin | W. N. Winn |
| Dr. W. L. Haynes | Harry J. Meyers | |
| Talbert Holliday | Claude D. Minor | |

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Thereupon said resolution was declared duly adopted.

Resolved that the title of said resolution be as aforesaid.

Mr. Lazarus moved that the present session of the House be extended indefinitely and said motion was adopted.

Mr. Lazarus moved that the vote by which joint resolution No. 2 (the suffrage amendment) was adopted be reconsidered and that that motion lie on the table.

Said motion was adopted.

Mr. Lazarus offered the following resolution, to wit:

Resolved, that the Speaker be authorized to appoint a Committee on Rules, composed of thirteen (13) members, of which the Speaker shall be a member and chairman.

Said resolution was adopted.

A message was received from the Senate informing the House that the Senate had concurred in joint resolution No. 1 providing that when the House adjourn on this day it do adjourn to meet Monday, January 12th, 1920, at one o'clock p. m.

Mr. Lazarus moved that the House do now adjourn, which motion was adopted, and in accordance with the joint resolution adopted by the House and concurred in by the Senate, the House adjourned to meet on Monday, January 12th, 1920, at one o'clock p. m.

MONDAY, JANUARY 12, 1920.

House was called to order by the Speaker at one o'clock p. m.

House was opened with prayer by Rev. S. S. Daughtry, pastor of South Frankfort Presbyterian Church.

A roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | A. F. Hanberry | Chas. A. Nelson |
| Sidney Alfrey | Dr. W. L. Haynes | T. P. Oliver |
| L. H. Ballard | Talbert Holliday | T. C. Pryse |
| H. H. Barnes | D. J. Howard | S. C. Ray |
| W. T. Beckham | A. R. Hudson | B. F. Reynolds |
| S. M. Bennett | Adam W. Huff | J. L. Richardson |
| J. M. Billiter | Robt. Humphreys | Sherman Robbins |
| W. M. Boling | R. O. Huntsman | Lee Rogers |
| Jo F. Bosworth | J. W. Johnson | B. A. Roth |
| Rodney G. Bryson | Henry Kaufman | Dr. Lewis Ryans |
| Roy J. Cain | Griffin Kelly | W. P. Scott |
| W. T. Carner | Frank Kennard | E. E. Shannon |
| J. F. Carr | W. L. Kimbrough | Dr. B. F. Shields |
| Charles M. Ciarlo | J. M. Knott | S. G. Smith |
| A. S. Cooper | Dr. S. D. Laughlin | H. A. Spillman |
| B. L. Cox | Hebron Lawrence | Wm. A. Stewart |
| J. S. Cruse | Joseph Lazarus | John T. E. Stites |
| P. A. Day | Elmer Lusby | Frank L. Strange |
| H. N. Dean | R. C. Marcum | T. R. Stults |
| J. B. Denues | I. S. Mason | John W. Swope |
| J. M. Foster | A. J. McCandless | J. Mack Thompson |
| Dr. T. H. Gamblin | R. L. McFerron | J. H. Thompson |
| B. J. Goehringer | Homer C. McLellen | C. B. Truesdell |
| J. W. Geveden | Claude D. Minor | John L. Trumbo |
| Dr. W. L. Gossett | John T. Murphy | J. Wood Vance |
| A. L. Hamilton | Estill W. Neel | Fred C. VanHoose |

| | | |
|---|---|---|
| Daniel Vose | J. S. Webb | W. G. Wheeler |
| Geo. C. Waggoner | Dr. T. R. Welch | R. E. Wilborn |
| A. M. Wash | Gladstone Wesley | —86 |

Mr. Joseph Lazarus moved that the reading of the Journal of Monday, January 6th, be dispensed with and that said Journal be approved.

Said motion was adopted.

Mr. W. T. Beckham, Representative-elect from Shelby county, appeared on the floor of the House, announced that he was ready to take the oath of office, whereupon the oath of office as Representative in the General Assembly as required by the laws and Constitution of the state was duly administered to said Beckham by Lilburn Phelps, Chief Clerk of the House.

A message was received from the Senate informing the House that Senate Resolution No. 1 had been passed by that body and asking the concurrence of this House therein.

Said resolution is as follows, to wit:

*Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, the House of Representatives concurring*:

That the Senate of the United States is requested to ratify without further delay the Versailles Peace Treaty, including the League of Nations Covenant, and that without amendment or reservations other than those which may fairly and reasonably interpret the terms thereof.

Mr. John T. Murphy moved that this House do concur with the action of the Senate in the passage of said resolution.

Mr. Joseph Lazarus moved that said resolution do lie on the table.

A roll call was demanded on said motion to table and resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Talbert Holliday | Sherman Robbins |
| L. H. Ballard | A. R. Hudson | Lee Rogers |
| H. H. Barnes | Adam W. Huff | B. A. Roth |
| S. M. Bennett | R. O. Huntsman | Dr. Lewis Ryans |
| J. M. Billiter | J. W. Johnson | S. G. Smith |
| Rodney G. Bryson | Henry Kaufman | R. Lee Stewart |
| Roy J. Cain | W. L. Kimbrough | Wm. A. Stewart |
| W. T. Carner | Hebron Lawrence | T. R. Stults |
| J. F. Carr | Joseph Lazarus | C. B. Truesdell |
| Charles M. Ciarlo | R. C. Marcum | John L. Trumbo |
| A. S. Cooper | I. S. Mason | Fred C. VanHoose |
| J. S. Cruse | A. J. McCandless | Daniel Vose |
| H. N. Dean | R. L. McFerron | A. M. Wash |
| J. B. Denues | Homer C. McLellen | J. S. Webb |
| J. M. Foster | Estill W. Neel | Gladstone Wesley |
| Dr. T. H. Gamblin | T. C. Pryse | R. E. Wilborn |
| B. J. Goehringer | S. C. Ray | V. M. Williamson |
| A. F. Hanberry | J. L. Richardson | Dr. W. S. Yazell |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Dr. W. L. Gossett | Elmer Lusby |
| W. T. Beckham | Dr. W. L. Haynes | Harry J. Meyers |
| W. M. Boling | D. J. Howard | Claude D. Minor |
| T. L. Caudel | Robt. Humphreys | John T. Murphy |
| B. L. Cox | Griffin Kelly | Chas. A. Nelson |
| P. A. Day | J. M. Knott | B. F. Reynolds |
| J. W. Geveden | Dr. S. D. Laughlin | W. P. Scott |

| | | |
|---|---|---|
| E. E. Shannon | Frank L. Strange | Geo. C. Waggoner |
| Dr. B. F. Shields | John W. Swope | Dr. T. R. Welch |
| H. G. Skiles | J. Mack Thompson | W. G. Wheeler |
| H. A. Spillman | J. H. Thompson | |
| John T. E. Stites | J. Wood Vance | —34 |

Mr. A. R. Hudson moved to reconsider the vote by which the motion to table was adopted and that motion lie on the table.

Said motion was adopted and it was so ordered.

A message was received from the Senate informing the House that the Senate had concurred in joint resolution No. 2, which originated in the House, entitled "Joint Resolution ratifying the proposed amendment to the Constitution of the United States on Woman Suffrage."

Ordered that said resolution be enrolled.

Mr. Joseph Lazarus offered the following resolution:

House Resolution No. 6. "Resolution providing for bill clerk and his duties."

Said resolution reads as follows, to wit:

Resolution providing for bill clerk and his duties.

*Be it resolved by the House of Representatives*:

That Edgar McCandless, janitor of the House, be, and he is, hereby made bill clerk under the supervision of the Chief Clerk of the House.

It shall be the duties of the said bill clerk to receive all printed bills from the public printer, furnish a sufficient number thereof to pages for distribution to members' desks, keep the other printed bills on file in the bill room in an

orderly fashion and to perform such other duties relative to documents of the clerk's office as the Chief Clerk may direct.

Mr. Lazarus moved that said resolution be adopted.

It was so ordered.

Mr. George C. Waggoner offered the following resolution and moved its adoption.

Resolved that the invited members of the Hutchcraft family and the friends who shall accompany them, be given rights to the floor of this House at the Hutchcraft Memorial Service on Wednesday, January 14, between 12 and 1:00 o'clock.

Said resolution was adopted.

Mr. Joseph Lazarus offered House Resolution No. 8, entitled "Joint Resolution providing for the employment of an Assistant Doorkeeper for the House of Representatives."

Said resolution, under the rules, lies over one day.

Mr. W. T. Beckham offered the following resolution:

H. R. 9. Be it resolved that the House of Representatives of the State of Kentucky extend a most cordial invitation to Honorable A. Mitchell Palmer, Attorney General of the United States, to address the General Assembly of Kentucky at such a time as may be convenient and agreeable to him, and that the Chief Clerk of the House is instructed to notify him of this resolution.

Mr. Beckham moved that Senator Smith, from Mercer county, be permitted the privilege of the floor to explain said resolution.

Said motion was adopted.

Senator Smith briefly explained the purpose of said resolution.

Then said resolution was adopted.

Mr. John T. Murphy offered joint resolution of the following title: "Joint Resolution directing the Auditor of Public Accounts to refund to former liquor dealers the unearned portion of said liquor licenses."

Said resolution was reported to the House and ordered to lie over for one day.

Mr. R. O. Huntsman offered the following resolution, House Resolution No. 11, which reads as follows, to wit:

Whereas, the Louisville Times and Courier-Journal have compiled and published a small booklet entitled "Who's Who in the Kentucky General Assembly," and gratuitously distributed same to members of said body, and whereas same has been of much benefit to this body; therefore, be it resolved that the thanks of this body be extended to said papers and also to the author of the book, Will S. Kaltenbacher.

Said resolution was adopted.

The Speaker then directed the Clerk of the House to announce the appointment of committees, which was done.

Said committees from the House are as follows, to wit:

HOUSE COMMITTEES.

RULES—Jo F. Bosworth, Chairman ex officio; R. O. Huntsman, Joseph Lazarus, Homer McLellen, R. G. Bryson, Lee Stewart, J. S. Cruse, H. J. Meyers, V. M. Williamson,

Hebron Lawrence, S. G. Smith, Daniel Vose, I. S. Mason, J. H. Thompson, G. C. Waggoner.

AGRICULTURE—Mack Morgan, Chairman; Lee Rogers, J. M. Foster, T. R. Stults, L. H. Ballard, J. L. Richardson, C. A. Nelson, J. W. Geveden, P. A. Day, S. C. Ray.

ALCOHOLIC LIQUOR TRAFFIC—J. F. Carr, Chairman; Rev. A. S. Cooper, Rev. Geo. Waggoner, Hebron Lawrence, A. J. McCandless, Gladstone Wesley, Dr. T. H. Gamblin, W. T. Beckham, Rev. J. A. Lee.

APPROPRIATIONS—T. R. Stults, Chairman; Hebron Lawrence, E. W. Neel, B. J. Geohringer, W. L. Kimbrough, C. A. Nelson, T. L. Caudel, Rev. G. C. Waggoner, E. E. Shannon.

ASSIGNMENT OF COMMITTEE ROOMS—W. G. Wheeler, Chairman; Sidney Alfrey, L. H. Ballard, H. N. Dean, J. B. Denues, A. W. Huff, J. M. Knott, Elmer Lusby, J. A. Lee.

BANKS AND BANKING—C. D. Minor, Chairman; J. S. Cruse, A. M. Wash, Sidney Alfrey, H. H. Barnes, W. L. Kimbrough, F. L. Strange, J. T. Murphy, H. G. Skiles, E. E. Shannon, J. M. Knott.

COMPENSATION FOR INDUSTRIAL INJURIES—J. S. Cruse, Chairman; A. R. Hudson, Jos. Lazarus, J. S. Webb, Wm. A. Stewart, Dr. T. R. Welch, E. E. Shannon, H. A. Spillman, Chas. R. Scott.

CONSTITUTIONAL AMENDMENTS—W. T. Beckham, Chairman; L. H. Ballard, S. M. Bennett, R. J. Cain, J. B. Denues, H. N. Dean, T. L. Caudel, Dr. S. D. Laughlin, Dr. W. L. Haynes.

CORPORATE INSTITUTIONS—Daniel Vose, Chairman; Lee Rogers, J. L. Richardson, W. T. Carner, A. R. Hudson, Lon Adams, T. L. Caudel, W. T. Beckham, C. D. Minor.

COMMERCE AND MANUFACTURING—W. L. Kimbrough, Chairman; C. B. Truesdell, B. J. Goehringer, A. J. McCandless, J. S. Webb, B. L. Cox, S. D. Laughlin, H. A. Spillman, Harry J. Meyers.

CLAIMS—A. L. Hamilton, Chairman; J. M. Foster, Talbert Holliday, J. B. Denues, Homer C. McClellen, R. C. Marcum, Elmer Lusby, Dr. D. J. Travis, J. M. Knott.

CLASSIFICATION OF CITIES AND TOWNS—C. B. Truesdell, Chairman; V. M. Williamson, T. P. Oliver, W. S. Yazell, J. S. Webb, R. O. Huntsman, E. C. Hardin, Rev. G. C. Waggoner, Dr. S. D. Laughlin.

COURT OF APPEALS—Wm. A. Stewart, Chairman; J. L. Richardson, H. N. Dean, Gladstone Wesley, I. S. Mason, F. Kennard, J. W. Johnson, W. T. Beckham, C. D. Minor.

CIRCUIT COURTS—C. M. Ciarlo, Chairman; R. G. Bryson, T. C. Pryse, Lee Stewart, B. A. Roth, J. T. Stites, J. M. Thompson, D. J. Howard, T. L. Caudel.

COUNTY AND CITY COURTS—R. C. Marcum, Chairman; E. W. Neel, Homer C. McLellen, R. L. McFerron, S. C. Ray, J. W. Geveden, Lon Adams, J. T. Murphy, J. Wood Vance.

CODES OF PRACTICE—R. G. Bryson, Chairman; J. L. Richardson, C. M. Ciarlo, D. A. Roth, Gladstone Wesley, D. J. Howard, F. Kennard, C. D. Minor, J. M. Thompson.

CRIMINAL LAW—J. L. Richardson, Chairman; R. Lee Stewart, Wm. A. Stewart, R. C. Marcum, E. W. Neel, T. P. Oliver, J. T. Murphy, J. W. Johnson, Frank Kennard.

CHARITABLE INSTITUTIONS—Rev. A. F. Hanberry, Chairman; Dr. Lewis Ryans, R. Lee Stewart, Rev. Sherman Robbins, Rev. J. F. Carr, W. G. Wheeler, Dr. W. L. Haynes, Dr. B. F. Shields, Dr. T. R. Welch.

CITIES OF THE FOURTH CLASS—G. C. Waggoner, Chairman; L. H. Ballard, C. B. Truesdell, A. J. McCandless, I. S. Mason, A. F. Hanberry, Dr. T. R. Welch, Dr. W. L. Gossett, Griffin Kelly.

CITIES OF THE FIFTH AND SIXTH CLASS—A. J. McCandless, Chairman; A. S. Cooper, J. S. Webb, Mack Morgan, Lee Rogers, H. C. Duffy, J. Wood Vance, Frank Kennard, E. E. Shannon.

CONFEDERATE HOME--E. C. Hardin, Chairman; F. C. VanHoose, W. S. Yazell, A. M. Wash, A. S. Cooper, Dr. W. L. Gossett, H. C. Duffy, J. A. Lee, B. L. Cox.

EXECUTIVE AFFAIRS—Gladstone Wesley Chairman; Dr. T. H. Gamblin, J. M. Foster, C. B. Truesdell, J. L. Trumbo, J. Wood Vance, W. M. Boling, T. P. Oliver, W. P. Scott.

EDUCATION No. ONE—A. M. Wash, Chairman; Henry Kaufman, C. B. Truesdell, L. H. Ballard, S. C. Ray, Mack Morgan, Robert Humphreys, W. M. Boling, Dr. S. D. Laughlin.

EDUCATION No. Two—J. M. Biliter, Chairman; J. F. Carr, B. J. Geohringer, A. F. Hanberry, J. L. Trumbo, J. W. Geveden, W. G. Wheeler, J. W. Swope, T. P. Oliver.

ENROLLMENT—S. C. Ray, Chairman; A. R. Hudson, Sidney Alfrey, A. L. Hamilton, T. P. Oliver.

FEDERAL RELATIONS—Robert Humphreys, Chairman; F. C. VanHoose, R. J. Cain, Sidney Alfrey, L. H. Ballard, Lee Rogers, Lon Adams, Dr. H. B. Laughlin, C. D. Minor.

FISH AND GAME—A. W. Huff, Chairman; J. M. Biliter, W. T. Carner, Sherman Robbins, J. B. Denues, J. M. Thompson, E. C. Hardin, H. C. Duffy, Griffin Kelly.

FORESTRY—Talbert Holliday, Chairman; F. C. VanHoose, R. L. McFerron, Mack Morgan, Lee Rogers, P. A. Day, J. B. Thomas, Griffin Kelly, Dr. W. L. Haynes.

GEOLOGICAL SURVEY—S. M. Bennett, Chairman; Dr. T. H. Gamblin, Daniel Vose, R. O. Huntsman, Sherman Robbins, W. G. Wheeler, J. Wood Vance, H. G. Skiles, J. W. Geveden.

INTERNAL IMPROVEMENTS—Sherman Robbins, Chairman; W. S. Yazell, Dr. Lewis Ryans, J. F. Carr, H. H. Barnes, Chas. R. Scott, H. A. Spillman, B. L. Cox, J. B. Thomas.

IMMIGRATION AND LABOR—R. J. Cain, Chairman; Talbert Holliday, J. S. Cruse, E. W. Neel, S. M. Bennett, J. M. Biliter, G. W. Geveden, J. Wood Vance, Elmer Lusby.

INSURANCE—FIRE AND MARINE—J. S. Webb, Chairman; R. E. Wilborn, W. S. Yazell, R. J. Cain, B. A. Roth, C. A. Nelson, Dr. W. L. Haynes, J. T. Stites, T. P. Oliver.

INSURANCE—LIFE AND ACCIDENT—John L. Trumbo, Chairman; J. L. Richardson, Lee Rogers, Daniel Vose, E. W. Neel, W. P. Scott, T. L. Caudel, H. C. Duffy, H. G. Skiles.

INTERURBAN AND CITY RAILWAYS—B. J. Geohringer, Chairman; A. J. McCandless, H. H. Barnes, A. R. Hudson, V. M. Williamson, Dr. T. R. Welch, D. J. Howard, Geo. C. Waggoner, W. P. Scott.

JUDICIARY—Hebron Lawrence, Chairman; J. L. Richardson, H. M. Dean, A. S. Cooper, S. G. Smith, D. J. Howard, W. T. Beckham, J. T. Stites, J. W. Johnson.

KENTUCKY STATUTES—Jos. Lazarus, Chairman; B. A. Roth, C. M. Ciarlo, R. G. Bryson, E. W. Neel, J. T. Murphy, J. M. Thompson, Lon Adams, W. T. Beckham.

JUVENILE COURTS AND CHILDREN'S HOME—Henry Kaufman, Chairman; R. G. Bryson, Sidney Alfrey, S. G. Smith, J. B. Denues, H. N. Dean, Lon Adams, Dr. B. F. Shields, J. M. Thompson.

MILITARY AFFAIRS—I. S. Mason, Chairman; J. S. Webb, Gladstone Wesley, A. R. Hudson, T. C. Pryse, J. T. Stites, Robt. Humphreys, J. T. Murphy, R. G. Bryson.

MINES AND MINING—R. O. Huntsman, Chairman; A. W. Huff, Talbert Holliday, Lee Stewart, J. M. Biliter, J. S. Webb, E. E. Shannon, T. L. Caudel, E. C. Hardin.

MUNICIPALITIES—B. A. Roth, Chairman; C. M. Ciarlo, R. G. Bryson, Homer C. McLellen, Daniel Vose, F. L. Strange, Arch L. Hamilton, Harry J. Meyers, J. W. Johnson.

NORMAL SCHOOLS—R. L. McFerron, Chairman; W. S. Yazell, T. R. Stults, Mack Morgan, L. H. Ballard, F. L. Strange, Dr. S. D. Laughlin, C. A. Nelson, W. M. Boling.

PRINTING—R. E. Wilborn, Chairman; A. W. Huff, W. T. Carner, T. C. Pryse, S. C. Ray, H. J. Meyers, Arch Hamilton, W. P. Scott, D. J. Howard.

PUBLIC LIBRARIES—J. W. Swope, Chairman; R. C. Marcum, A. W. Huff, T. Holiday, Mack Morgan, W. M. Boling, T. P. Oliver, G. C. Waggoner, F. Kennard.

PUBLIC OFFICES—A. S. Cooper, Chairman; R. E. Wilborn, Dr. Lewis Ryans, S. G. Smith, Henry Kaufman, G. C Waggoner, J. M. Thompson, W. N. Winn, J. A. Lee.

PUBLIC HEALTH—W. S. Yazell, Chairman; Dr. Lewis Ryans, R. O. Huntsman, T. H. Gamblin, W. T. Kimbrough, A. F. Hanberry, Dr. B. F. Reynolds, Dr. W. L. Gossett, Robert Humphreys.

PUBLIC ROADS AND HIGHWAYS—S. G. Smith, Chairman; R. L. McFerron, I. S. Mason, T. Holliday, J. L. Trumbo, J. W. Vance, F. L. Strange, J. W. Swope, P. A. Day.

PUBLIC DITCHES AND FENCES—P. A. Day, Chairman; W. T. Carner, J. M. Foster, A. J. McCandless, R. L. McFerron, Griffin Kelly, J. M. Knott, W. N. Winn, J. B. Thomas.

PUBLIC BRIDGES—L. H. Ballard, Chairman; W. T. Carner, S. C. Ray, R. C. Marcum, J. M. Biliter, A. L. Hamilton, P. A Day, Griffin Kelly, Robt. Humphreys.

PUBLIC UTILITIES—Lee Rogers, Chairman; Sherman Robbins, B. J. Geohringer, Henry Kaufman, C. B. Truesdell, H. J. Meyers, J. W. Johnson, J. M. Thompson, D. J. Howard.

PURLIC WAREHOUSES AND GRANARIES—C. A. Nelson, Chairman; T. R. Stults, D. Vose, R. E. Wilborn, W. L. Kimbrough, Chas. Scott, B. L. Cox, H. A. Spillman, E. E. Shannon.

PUBLIC MONUMENTS AND HISTORICAL RECORDS—Dr. B. F. Reynolds, Chairman; H. H. Barnes, R. J. Cain, A. S. Cooper, F. C. VanHoose, T. P. Oliver, W. P. Scott, D. J. Travis, E. C. Hardin.

PURE FOOD—Dr. T. H. Gamblin, Chairman; A. M. Wash, R. E. Wilborn, W. T. Carner, Henry Kaufman, D. J. Travis, B. F. Reynolds, Dr. B. F. Shields, B. L. Cox.

RACING COMMISSION—Dr. Lewis Ryans, Chairman; R. G. Bryson, V. M. Williamson, J. S. Cruse, J. H. Thompson, B. J. Geohringer, Arch Hamilton, Harry Meyers, R. O. Huntsman.

RAILROADS—Homer McLellen, Chairman; J. S. Cruse, Dr. Lewis Ryans, R. J. Cain, T. C. Pryse, W. L. Kimbrough, W. N. Winn, H. J. Meyers, Arch Hamilton.

REVENUE AND TAXATION—E. W. Neel, Chairman; B. A. Roth, T. H. Gamblin, C. N. Ciarlo, I. S. Mason, J. S. Cruse, Lee Rogers, E. C. Hardin, J. H. Thompson, W. G. Wheeler, J. W. Swope, Robert Humphreys.

RETRENCHMENT AND REFORM—T. C. Pryse, Chairman; F. C. VanHoose, Henry Kaufman, J. F. Carr, A. F. Hanberry, T. L. Caudel, G. C. Waggoner, J. M. Thompson, J. W. Johnson.

REDISTRICTING—LEGISLATIVE—J. B. Denues, Chairman; S. M. Bennett, Dr. B. F. Reynolds, A. S. Cooper, F. C. VanHoose, T. C. Pryse, W. N. Winn, J. B. Thomas, H. C. Duffy.

DEDISTRICTING—CONGRESSIONAL—H. M. Dean, Chairman; T. R. Stults, T. C. Pryse, R. J. Cain, W. P. Scott, F. C. VanHoose, H. G. Skiles, W. G. Wheeler, J. W. Swope.

REDISTRICTING—JUDICIAL—Lee Stewart, Chairman; S. M. Bennett, R. L. McFerron, W. A. Stewart, Dr. Lewis Ryans, T. L. Caudel, Elmer Lusby, J. B. Thomas, J. T. Murphy.

STATE CAPITOL—Sidney Alfrey, Chairman; H. Lawrence, R. O. Huntsman, A. R. Hudson, Jos. Lazarus, Henry Kaufman, J. A. Lee, G. C. Waggoner, T. P. Oliver.

STATE FAIR—J. M. Foster, Chairman; A. M. Wash, R. E. Wilborn, J. B. Geohringer, S. C. Ray, J. M. Biliter, J. W. Geveden, C. A. Nelson, W. N. Winn.

SUFFRAGE AND ELECTION—V. M. Williamson, Chairman; J. L. Richardson, J. M. Biliter, A. W. Huff, H. Lawrence, B. A. Roth, J. M. Knott, T. R. Welch, H. C. Duffy.

SINKING FUND—W. T. Carner, Chairman; S. G. Smith, Jos. Lazarus, J. F. Carr, R. G. Cain, G. C. Waggoner, T. L. Caudel, H. G. Skiles, F. L. Strange.

STATE PRISONS AND HOUSES OF REFORM—A. R. Hudson, Chairman; A. F. Hanberry, B. J. Geohringer, T. H. Gamblin. A. M. Wash, W. L. Haynes, D. J. Travis, C. A. Nelson, T. R. Welch.

STATE UNIVERSITY—H. H. Barnes, Chairman; J. M. Foster, G. Wesley, R. L. Stewart, J. L. Trumbo, A. L. Hamilton, T. P. Oliver, T. R. Welch, J. W. Swope.

TUBERCULOSIS—Dr. W. L. Gossett, Chairman; W. S. Yazell, T. H. Gamblin, Dr. Lewis Ryans, A. F. Hanberry, W. L. Haynes, B. F. Reynolds, B. F. Shields, T. R. Welch.

WAYS AND MEANS—F. C. VanHoose, Chairman; W. A. Stewart, A. M. Wash, R. E. Wilborn, J. M. Foster, Robt. Humphreys, D. J. Travis, B. L. Cox, Lon Adams.

The Chief Clerk of the House reported to the House that he had received from Goebel Monument Commission its written report, which is in words and figures as follows, to wit:

*To the General Assembly of the Commonwealth of Kentucky*:

GENTLEMEN:—The Legislature of the Commonwealth of Kentucky, in session in 1904, passed the following act, to wit:

An act appropriating twenty thousand dollars and appointing commissioners for the purpose of purchasing and erecting a statue in memory of William Goebel, Kentucky's martyred Governor.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

1. That the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of purchasing and erecting upon the Capitol grounds or in the new Capitol building, to be hereafter constructed at Frankfort, Kentucky, a suitable statue commemorative of Kentucky's devotion to the memory of her martyred Governor, William Goebel.

2. The Governor, Lieut. Governor, Attorney General, State Auditor and Treasurer are hereby appointed commissioners and are vested with full power to purchase, superintend and cause to be erected at such point upon said Capitol grounds or in said building as may be selected by them and for that purpose may make all necessary contracts and purchase all suitable material, and employ all necessary labor at a cost

not exceeding twenty thousand dollars, the sum hereby appropriated. Said commissioners shall perform their duties herein prescribed without compensation, and neither of them shall be interested either directly or indirectly in any contract or material used in the erection of said statue.

3. The Auditor of Public Accounts shall draw his warrants upon orders signed by said three commissioners for sums expended in the construction of said statue, not exceeding in all the sum of twenty thousand dollars, hereby appropriated, which warrants shall be paid by the State Treasurer out of funds in the treasury not otherwise appropriated.

4. After the completion of said statue, said commissioners shall make report to the General Assembly of the Commonwealth of Kentucky under oath, containing an itemized statement of the amounts expended hereunder.

5. The Commonwealth of Kentucky shall not be liable for any act or contract of said commissioners or either of them.

Pursuant to the act of the Legislature, above referred to, and on the 7th day of December, 1907, the following contract was entered into by the Commission, as then constituted, and one Charles Henry Niehaus, of New York City, for designing, modeling and executing the statue of William Goebel, which contract is in words and figures as follows:

Witness, the General Assembly of the Commonwealth of Kentucky, by an act approved March 25th, 1904, did appropriate the sum of twenty thousand ($20,000) dollars for the erection of a statue of William Goebel, Kentucky's martyred Governor, therefore be it known:

That the undersigned commissioners under and by authority of said act do hereby contract with Charles Henry Niehaus, Sculptor, of New York City, for designing, modeling and executing the statue of said William Goebel under the following specifications, to wit:

The pedestal of said statue shall be of Knoxville, Tennessee, rose pink marble, the statue shall be cast in standard bronze, known as 90% of pure copper and 10% alloy. The size and design of said statue and pedestal shall be in keeping and in scale with the architecture of the State Capitol Building, at Frankfort, Kentucky, and as determined and approved by F. M. Andrews & Company, architects, for the said new State Capitol Building. The foundation for the said statue shall be of concrete and the said statue shall be located and erected on the north and south central axis of the new State Capitol Building at the terrace level in the center of the main flight of steps leading to the said terrace. The base of the said statue shall occupy a space 9x12 feet, or so much thereof as may be necessary for the erection of the same.

For executing the work herein provided for, the said Charles Henry Niehaus shall be paid the sum of twenty thousand ($20,000) dollars, partial payments thereon shall be made from time to time as the work progresses, upon estimates furnished by the herein named architects certified to the Board of Commissioners and State Auditor, which action of said architects shall be a final acceptance of the work covered by the estimate made, the said State Auditor to draw his warrant upon the State Treasury from time to time for the amount of said estimates certified to him as herein provided.

The undersigned commissioners do hereby designate and appoint F. M. Andrews & Company, architects of the new State Capitol Building at Frankfort, Kentucky, to inspect and pass upon said work and upon the completion thereof, and upon the said F. M. Andrews & Company, architects of the new State Capitol Building, certifying to the State Auditor and the Board of Commissioners that the said work has been executed according to this contract, then the said work shall stand accepted, and the Auditor of State shall forthwith draw his warrant in favor of the said Charles Henry Niehaus

for all or such part of the said sum of twenty thousand ($20,000) dollars as shall at said time remain unpaid.

The said Charles Henry Niehaus hereby agrees to begin the doing of the work herein contracted for upon the execution of this contract and to fully complete and install the same within a reasonable time from date hereof.

Witness our hands this 7th day of December, 1907.

W. P. THORNE,
*Lieut. Gov. of Ky.*
S. W. HAGER,
*Auditor.*
H. M. BOSWORTH,
*Treasurer.*
CHARLES HENRY NIEHAUS.

The present Commission, as constituted under the act, has very little before it in the way of statistics, or papers, or files to give to the Legislature any history of what was done up until the time the monument was completed, with the exception that there appear in the files of the Auditor's Department two vouchers, one dated the 17th day of October, 1910, showing a payment to Mr. Niehaus of $7,500.00 and a second one dated the 1st day of June, 1912, showing payment of $2,500.00 to the same party.

Without having the data before this Commission, the history of the building of this monument is that when the first pedestal, upon which the statue proper was to be stationed, was sent to Frankfort it was discovered that it was not perfect, having several flaws which this Commission cannot describe. A second pedestal was executed and was shipped to Frankfort in 1908, and upon this pedestal the statue was mounted and remained some time, when upon close inspection it was discovered that the second pedestal was not perfect, but had some three or four serious defects or flaws. Then it was that Mr. Niehaus, the sculptor, sent a third pedestal in the rough to Richard J. Lynch, Frankfort, Kentucky, and

under the direction of Mr. Niehaus Mr. Lynch executed the third pedestal, which was inspected by Mr. Justus Goebel, Jr., and other relatives and friends of Governor Goebel, deceased, and as will be shown hereafter, inspected by a commission agreeable to all the parties.

This pedestal was placed in position in the early part of July, 1919. The following correspondence will show what occurred with regard to the third pedestal and the one which now supports the monument of Governor William Goebel.

On the 1st of August, 1919, Mr. Richard Lynch, of Frankfort, Kentucky, who had placed the pedestal in position, presented a letter from Mr. Niehaus, directing the payment to Mr. Lynch of $2,250.00 for a part of the work. It was then that the Commission held a meeting and discovered that under the contract an inspection should be had before any payment was made.

On the 1st of August, 1919, the Attorney General directed the following letter to Mr. Niehaus, the sculptor:

*Hon. Charles Henry Niehaus, Grantwood, N. J.*

My Dear Sir:—Mr. Richard Lynch, a marble cutter of Frankfort, Kentucky, who has just completed the installation of the pedestal for the Goebel monument, which sits in front of the Kentucky Capitol, has presented to the Auditor of the Commonwealth your letter of recent date, which is substantially an order directing the payment to Mr. Lynch of something over two thousand dollars for his part of the work, with further directions that the balance due on the contract be forwarded to you by warrant.

The writer of this letter was not in office when this contract was made, nor did he know much of the history of the contract nor the work thereunder until Mr. Lynch presented his claim, which necessitated an investigation of the matter from the beginning up to this point. The state stands ready to pay the balance due upon the contract, provided, however,

that it be substantially complied with in all respects. I have in my hands a copy of the contract and by reference thereto I find the following clause:

"The undersigned commissioners do hereby appoint F. M. Andrews & Company, architects, of the new State Capitol Building at Frankfort, Ky., to inspect and pass upon said work and upon the completion thereof, and upon the said F. M. Andrews & Company, architects of the new State Capitol Building, certifying to the State Auditor and the Board of Commissioners that the said work has been executed according to this contract, then the said work shall stand accepted, and the Auditor of the State shall forthwith draw his warrant in favor of the said Charles Henry Niehaus for all or such part of the said sum of twenty thousand ($20,000) dollars, as shall at said time remain unpaid."

I have knowledge from informants who apparently have knowledge of the facts stated, to the effect that the firm of F. M. Andrews & Company is no longer in existence. I learn further that Mr. F. M. Andrews, who I assume was the Andrews & Company, is no longer following the profession of an architect, and is at present residing in New York. I take it that it would be difficult on the part of either of the parties to the contract to get Mr. Andrews to come to Frankfort in order to pass on the completion of the monument.

Now, since the Commission, composed of the executive officers of the state, feel that in the performance of this trust, which was imposed upon them by the act of 1904, they should at least attempt in good faith to carry out the provisions of the paragraph of the contract above quoted.

In order that the matter may be expeditiously concluded, we now ask you for suggestions with reference to the carrying out of the provision above recited. Without having discussed the matter with the entire Board of Commissioners, I make the suggestion, that in so far as the Board is concerned, the members would be willing to have a certification

from any reputable architect, sculptor or marble worker of high standing, in Louisville or Cincinnati, if an agreement may be speedily reached upon the person or persons to take the place of Mr. Andrews. I might add that since the act of 1904 specifically requires that the Board make a report under oath as to the completion of the contract, we feel that we would be justified in calling upon you to aid us in closing it in the manner indicated. Mr. Lynch is in need of his money and I have no doubt that you would have use for the balance coming to you, and since the Board is anxious to close the matter and prepare its report for the coming Legislature, I urge as much haste as possible on your part in assisting us in completing the transaction.

Kindly let me hear from you at your very earliest convenience, and with kindest regards, I beg to remain,

Yours very truly,

*Attorney General.*

On August 4th the Attorney General received the following letter from Mr. Niehaus:

*Hon. Charles H. Morris, Attorney General, Frankfort, Ky.*

My Dear Sir:—Your communication of the first inst. has been received. In regard to the architect, I have not heard of Mr. Frank Andrews in over three years; at that time he was in Belgium.

Mr. Andrews designed the pedestal and approved of the first one; flaws were found in it later and the present one is the pedestal set in to replace the first.

I shall be pleased to have a reputable architect or a granite worker examine Mr. Lynch's work and material as you suggest; no doubt one can be found in either Louisville or Cincinnati. Should you be able to secure one in Louisville kindly do so. The examiner's expenses are to be charged to me. I will write Mr. Goebel, 125 West Fifth St., Cincinnati, to endeavor to locate a man there. The findings are to be re-

ported to you in writing and I request that a copy be furnished me.

Mr. Lynch has all drawings necessary for the examination and I trust that all will be satisfactory. The bronze statue on the pedestal has been approved by Mr. Goebel and others.

Very truly yours,
C. H. NIEHAUS.

On August 7th the Attorney General sent the following telegram to Mr. Niehaus:

*Charles H. Niehaus, Grantwood, N. J.*

Will local committee of three, selected by our Commission and Lynch, composed of reliable architect and stone cutters, be agreeable to you? Answer at once.

C. H. MORRIS, *Atty. Gen.*

On August 8th the Attorney General received the following telegram from Mr. Niehaus:

*Attorney General C. H. Morris, Frankfort, Ky.*

Arrangements satisfactory to me as quoted in your telegram. C. H. NIEHAUS.

Whereupon the following letter was directed to Mr. Niehaus:

August 9, 1919.

*Mr. C. H. Niehaus, Grantwood, N. J.*

DEAR SIR:—Acting upon authority of your telegram of recent date, the Commission and Mr. Lynch agreed on the following persons to finally pass on the pedestal to the Goebel monument referred to in former correspondence, to wit: Leo Oberwarth, architect, John A. Noonan, stone cutter, and Mr.

Owen Muldoon, practical monument and marble worker. These gentlemen will immediately make their report, and I have directed the Auditor that in conformity with the agreement between us, if their report be favorable, to mail you at once a warrant for the amount due you. The warrant when sent to you will be stamped interest bearing and will bear interest at the rate of five per cent. If you cannot negotiate it at your bank at face value, return it to either myself or Mr. Henry Ware, with your endorsement, and we will negotiate it and return you the face of the warrant.

I shall send you a copy of the report as soon as same has been filed with me.

Since in your letter you indicate that you will bear the expense of the inspection, I suggest that upon receipt of your final check for the balance due you, you mail me your check for thirty dollars, which I will distribute equally among the members of the committee, as I think this will be satisfactory and fair and reasonable compensation to them.

Please be so kind as to confirm your telegram agreeing to my proposition in a letter to be sent at once, and also upon receipt of your warrant or check mail me receipt to be lodged with the papers. I trust that the matter will be expeditiously closed.

Yours very truly,
*Attorney General.*

On August 12th the following letter from Mr. Niehaus was received in confirmation of his telegram:

*Hon. Chas. H. Morris, Attorney General, Frankfort, Ky.*

DEAR SIR:—This letter is in confirmation of my telegram to you stating that I agreed with your proposition regarding the inspection of the Goebel monument by the parties you have selected.

Very truly yours,
C. H. NIEHAUS.

On August 11th the following telegram from Mr. Justus Goebel, Jr., was received:

Cincinnati, O., Aug. 11, 1919.

*Chas. H. Morris, Attorney General, Frankfort, Ky.*

Acting on word from Niehaus have selected Fisk, Cincinnati, inspector pedestal work on Governor Goebel monument. If satisfactory will inspect work Tuesday. Wire me collect.

JUSTUS GOEBEL.

On August 11th the following letter was received from Mr. Justus Goebel, Jr., in response to a telegram from the Attorney General to Mr. Goebel on the same date:

TELEGRAM

Attorney General's Office.

August 11, 1919.

*Justus Goebel, Jr., Cincinnati, O.*

Committee agreeable to Niehaus composed of architect and experienced stone cutters have accepted pedestal. Commission will approve their recommendation unless you object. Your man need not come unless you insist upon it.

Signed: C. H. MORRIS,
*Attorney General.*

LETTER

Cincinnati, O., Aug. 11, 1919.

*Hon. Charles H. Morris, Attorney General, Frankfort, Ky.*

DEAR SIR:—I have at hand your telegram in reply to mine which was sent earlier in the day and have accepted the decision of the committee selected to inspect the pedestal work on the Governor Goebel monument.

I probably will make inspection of the monument myself in a few days and do not think it necessary for you to hold up payments on the work, as I had inspected the pedestal a few days prior to its being placed in front of the capitol building, and the stone seemed to be in perfect condition. Unless some accident has happened in placing the pedestal, the work should be perfect, and I feel that it is, inasmuch as Mr. Lynch informed me the work has been done in first class manner.

Very truly yours,

JUSTUS GOEBEL.

Whereupon the following correspondence shows to have been had between the parties:

August 12, 1919.

Received from Attorney General C. H. Morris a draft warrant for the sum of seventy-seven hundred and fifty dollars ($7,750.00), same is the final payment on the Goebel Monument erected on the State Capitol Grounds at Frankfort, Ky.

Received payment,

C. H. NIEHAUS.

August 12, 1919.

*Hon. Chas. H. Morris, Attorney General, Frankfort, Ky.*

DEAR SIR:—Your letter of August 9th received. I have returned the draft to Mr. Ware, Chief Clerk, who will return me the check for same. Inclosed you will find the papers requested and check for $30.00 payment for the inspectors.

Thanking you for your assistance,

Very truly yours,

C. H. NIEHAUS.

August 15, 1919.

*Charles H. Niehaus, Grantwood, N. J.*

DEAR SIR:—I beg leave to acknowledge receipt of yours of recent date enclosing receipt for warrant sent you from the Auditor's Department, together with a confirmation of your telegram accepting the report of local commissioners, and your check for thirty dollars, payable to me, which latter will be distributed equally among the commissioners who made the report.

With kindest regards, I beg to remain,

Yours truly,
*Attorney General.*

The report made by the committee selected by Mr. Niehaus and agreed to by Mr. Goebel is in words and figures as follows:

August 5th, 1919.

*To His Excellency, the Governor of Kentucky, Chairman, and the members of the Goebel Monument Committee:*

We, the undersigned, have made a critical inspection of the Golden Pink Granite Pedestal, erected by R. J. Lynch for the Goebel monument, and find as follows:

Physically, the block of granite is perfect, being free from flaws or blemishes of any kind.

The spacing and cutting of the lettering is first class in every respect.

The carvings and the mouldings are well proportioned, and splendidly executed.

In short, we find that the high grade of material used and the skillful handling and workmanship have resulted in a splendid piece of work throughout.

Respectfully submitted,

LEO L. OBERWARTH, *Architect.*
OWEN MULDOON, Louisville, *Stone Cutter.*
JNO. A. NOONAN, *Stone Cutter.*
J. A. LILLIS, *Granite Carver.*

The following resolution was passed by the Goebel Monument Commission, and shows what was done with regard particularly to the payment of the money to Mr. Lynch:

At a called meeting of the Goebel Monument Commission, held in the Governor's office, in the Capitol Building, Frankfort, Kentucky, on Tuesday, August 5th, 1919, present James D. Black, Governor, R. L. Greene, Auditor, Sherman Goodpaster, Treasurer, and Charles H. Morris, Attorney General.

Mr. Morris presented the following resolution:

Whereas, after a long period of time, the pedestal which supports the bronze statue of Governor William Goebel has finally been completed and put in place in front of the Capitol Building in Frankfort, Kentucky, and,

Whereas, Mr. R. J. Lynch, who dressed and lettered said pedestal and placed it in position, has presented to this body a writing signed by Charles Henry Niehaus, sculptor, an order directing the payment of $2,250.00 to said Lynch for his services in the particulars mentioned, and,

Whereas, under the contract between the original Board of Commissioners and Charles Henry Niehaus, it is stipulated that the monument should, upon its completion, be inspected and approved by F. M. Andrews & Company, architects, of New York City, before final payment, and,

Whereas, it is the information of this Commission that the firm of F. M. Andrews & Company no longer exists and that whilst F. M. Andrews in person is still a resident of New York City, it is the opinion of the Commissioners that it would be difficult and inexpedient to have Mr. Andrews come to Frankfort for the purposes indicated in the contract, and it is the further information that there are persons in the city of Frankfort who are competent to pass upon the pedestal, and decide whether or not it comes up to the specifica-

tions, it is *hereby resolved* that this Commission and R. J. Lynch agree on certain persons to act in the stead of said F. M. Andrews & Company for the purposes mentioned in the contract, and that upon their report, if same be favorable, this Commission directs the payment of the amount due said R. J. Lynch, and that the further payment to Charles Henry Niehaus shall be postponed until an agreement can be had with him as to the final survey of the work.

Mr. Morris moved the adoption of said resolution, seconded by Mr. Greene, and a vote being taken thereon, the resolution was adopted unanimously.

Whereupon appeared R. J. Lynch and the following named persons were selected to pass upon the completeness of the pedestal, to wit, Leo Oberwarth, architect, John A. Noonan and Owen Muldoon, stone cutters, who were to report upon their findings to this Commission, it being agreed that if this report be favorable, then the Auditor should draw his warrant for above named amount to the order of R. J. Lynch.

I hereby agree that the Commission and the Auditor may act upon such report as may be made by the Committee above named.

This August 5th, 1919.

R. J. LYNCH.

(O. K.) R. L. GREENE, *Auditor.*

It therefore appears from the records that the following is a detailed statement of expenditures of Goebel Monument Fund by the Commission:

| | | |
|---|---|---|
| Amount appropriated by an act of 1904 | | $20,000.00 |
| Amount paid to Chas. H. Niehaus | $17,750.00 | |
| Amount paid to Richard J. Lynch | 2,250.00 | |
| | | $20,000.00 |

It will be noted in the correspondence that Mr. Niehaus paid the expenses of the committee for examining the monument by check for $30.00, sent to the Attorney General, which he in turn distributed equally between L. L. Oberwarth, John A. Noonan and Owen Muldoon, for which no receipts were taken.

Upon inspection of the records, I find a written report of the then Commission, made on the 17th day of May, 1912, which seems to have fixed a place of location of the Goebel Monument, which is appended hereto:

By an act of the General Assembly of the Commonwealth of Kentucky, entitled "An act appropriating $20,000 and appointing commissioners for the purpose of purchasing and erecting a statute to the memory of William Goebel, Kentucky's martyred Governor," which was approved March 25, 1904, the Governor, Lieut. Governor, Attorney General, State Auditor and Treasurer were appointed a commission, with power to purchase and locate at such point upon the Capitol grounds or in the Capitol building as they may select, a statue of William Goebel.

In pursuance of said act of the General Assembly the then Lieut. Governor, William P. Thorne, the then Auditor, S. W. Hager, the then Treasurer, H. M. Bosworth, on December 7, 1907, made and entered into a contract with Charles H. Niehaus, of New York, by which it was agreed that said Niehaus would execute and erect the statue of said Wm. Goebel upon the Capitol Grounds in the city of Frankfort, for which the State of Kentucky was to pay said Niehaus the sum of $20,000, to be paid from time to time as the work progressed, and upon estimates furnished to and approved by F. M. Andrews, architect.

The said Niehaus this day presented to the present Governor, Lieut. Governor, Auditor, Attorney General and Treasurer an estimate approved by F. M. Andrews & Com-

pany, architects, for the sum of $2,500.00 as a payment on said contract price for said work, and it is ordered by the Commissioners that the sum of $2,500.00 be now paid to said Niehaus. Thereupon, the said Niehaus requested said Commission to locate and fix the point on the Capitol grounds where said statue should be erected, and after consideration, the commission now directs said Niehaus to erect said statue on the Capitol grounds on the north and south center exit of the said new Capitol building at the street level, wall line of Todd street, in front of the said new State Capitol building.

Given under our hands this 17th day of May, 1912.

JAMES B. MCCREARY,
*Governor of Kentucky.*

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*Lieut. Gov. of Kentucky.*
JAMES GARNETT,
*Attorney General of Kentucky.*
THOS. S. RHEA,
*Treasurer of Kentucky.*
H. M. BOSWORTH,
*Auditor Public Accounts.*

This Commission respectfully reports the foregoing, and asks that it be discharged from further duties in relation to the Goebel Monument.
November 15th, 1919.

JAMES D. BLACK,
*Governor of Kentucky.*
ROBT. L. GREENE,
*Auditor of Public Accounts.*
SHERMAN GOODPASTER,
*Treasurer of Kentucky.*
CHARLES H. MORRIS,
*Attorney General of Kentucky.*

Mr. Lazarus moved that said report be received and filed and that the reading thereof at length be dispensed with.

Said motion was adopted.

The Chief Clerk presented to the House an invitation from Frankfort Lodge No. 530, B. P. O. Elks, offering the privilege of the club rooms of the Lodge to the members and officers of the House during their stay in Frankfort.

Said invitation was accepted and a vote of thanks of the House was extended to the Lodge for same.

Mr. McLellen offered the following resolution in writing, to wit:

Move that the Governor's message, together with the Lieutenant Governor's remarks, be printed ready for mailing, and fifty copies of same be placed on desk of each member of this House, and that the Governor be supplied with one thousand copies of said message.

Said motion was adopted.

Mr. Welch moved that the House do now adjourn.

Said motion was adopted and the House thereupon adjourned.

## TUESDAY, JANUARY 13, 1920.

House was called to order by the Speaker, Mr. J. F. Bosworth.

House was opened with prayer by Rev. S. S. Daughtry, pastor of the South Frankfort Presbyterian Church, Frankfort, Kentucky.

Roll call to ascertain presence of quorum resulted as follows:

| | | |
|---|---|---|
| Lon Adams | A. L. Hamilton | Mack J. Morgan |
| Sidney Alfrey | A. F. Hanberry | John T. Murphy |
| L. H. Ballard | E. C. Hardin | Estill W. Neel |
| S. M. Bennett | Dr. W. L. Haynes | Chas. A. Nelson |
| J. M. Billiter | Talbert Holliday | T. P. Oliver |
| W. M. Boling | D. J. Howard | T. C. Pryse |
| Jo F. Bosworth | A. R. Hudson | S. C. Ray |
| Rodney G. Bryson | Adam W. Huff | B. F. Reynolds |
| Roy J. Cain | Robt. Humphreys | J. L. Richardson |
| W. T. Carner | J. W. Johnson | Sherman Robbins |
| J. F. Carr | Henry Kaufman | Lee Rogers |
| T. L. Caudel | Griffin Kelly | B. A. Roth |
| Charles M. Ciarlo | Frank Kennard | Dr. Lewis Ryans |
| A. S. Cooper | W. L. Kimbrough | Chas. R. Scott |
| B. L. Cox | J. M. Knott | E. E. Shannon |
| J. S. Cruse | Dr. S. D. Laughlin | S. G. Smith |
| P. A. Day | Hebron Lawrence | H. A. Spillman |
| H. N. Dean | Joseph Lazarus | R. Lee Stewart |
| J. B. Denues | Rev. J. A. Lee | Wm. A. Stewart |
| H. C. Duffy | Elmer Lusby | John T. E. Stites |
| J. M. Foster | R. C. Marcum | Frank L. Strange |
| Dr. T. H. Gamblin | L. S. Mason | T. R. Stults |
| B. J. Goehringer | A. J. McCandless | John W. Swope |
| J. W. Geveden | Homer C. McLellen | John B. Thomas |
| Dr. W. L. Gossett | Harry J. Meyers | J. Mack Thompson |

| | | |
|---|---|---|
| J. H. Thompson | Daniel Vose | W. G. Wheeler |
| Dr. D. J. Travis | A. M. Wash | R. E. Wilborn |
| C. B. Truesdell | J. S. Webb | V. M. Williamson |
| John L. Trumbo | Dr. T. R. Welch | W. N. Winn |
| J. Wood Vance | Gladstone Wesley | Dr. W. S. Yazell |

—90

Mr. W. L. Haynes presented the petition of sundry citizens of McLean county asking that a comfortable home be provided for poor, indigent blind people of this state.

Said petition was referred to the Committee on Public Health.

Said petition is as follows, to wit:

*To the General Assembly of the Commonwealth of Kentucky, Regular Session,* 1920.

Kentucky has always at all times stood for the betterment of humanity, and for the uplift and care of its people, and in the past has erected and maintained many noble eleemosynary institutions in which to care for its more unfortunate citizens, but up to this good time there is one element of people in this state who are homeless and helpless, and who are groping in the dark, and who have never been cared for and looked after by the state, and who are entirely dependent upon the charity of a cold world, and they are those who have lost their eyesight, and are unable to make a support for themselves, and believing that Kentucky should be abreast with the foremost states in this union in looking after and caring for and providing a home for her blind, who are poor and indigent, and unable to properly care for themselves, we the undersigned, citizens and taxpayers of McLean county, Kentucky, at the instance and request of our fellow citizen, Mr. R. A. Hardin, who for many years has been blind, and has lived in our midst, and who has always worked with all his might to earn a livelihood for himself, but who

is now growing in advanced years, we hereby respectfully petition and ask the General Assembly of Kentucky, at its 1920 session to take such steps and pass such a law as will provide a comfortable home for the poor, indigent blind people of this state where they may be properly seen after and cared for, and that all the sunshine may be brought into their lives possible.

Respectfully submitted,
(Signed) F. A. LOCHRY,
*County Judge of McLean County*
and 65 other citizens.

Mr. J. Wood Vance offered a resolution of the following title: "House Res. No. 12, asking Congress to pass an act, with necessary appropriation, to make the Mammoth Cave estate a National Park."

Said resolution reads as follows:

Concurrent resolution asking Congress to pass an act with necessary appropriation to make the Mammoth Cave estate a national park.

Whereas, there is pending in the Congress of the United States a bill which has for its object the establishment of a national park at Mammoth Cave, Edmonson county, Kentucky, and,

Whereas, Mammoth Cave is one of the world's greatest natural wonders, and,

Whereas, the topography of the country surrounding Mammoth Cave is such that it would be admirably adapted to the conversion into a great park system, and,

Whereas, this great natural wonder is situated midway between the north and south, east and west, and is located on the principal lines of travel between these various sections of a common country, and,

Whereas, certain private interests are at this time endeavoring to secure control of the Mammoth Cave for the purpose of establishing a park with the purpose of exploiting the American people, therefore,

*Be it resolved by the House of Representatives of the Commonwealth of Kentucky, the Senate concurring therein:*

That the Congress of the United States be, and is, hereby urged to pass this bill at the earliest possible moment, and,

Be it further resolved, that a copy of this resolution be sent to the Speaker of the National House of Representatives, and a copy to the President of the Senate of the United States, and that a copy be sent to each of the Kentucky United States Senators and a copy to each of our representatives in Congress.

Mr. Lazarus moved that the rules be suspended and that said resolution be considered immediately.

Said motion was adopted.

Then Mr. J. Wood Vance moved that said resolution be adopted.

Said motion was carried and said resolution was thereby adopted and sent to the Senate.

A resolution offered on yesterday by Mr. John T. Murphy was reported by its title as follows: "Joint Resolution directing Auditor of Public Accounts to refund to former liquor dealers the unearned portion of said liquor licenses."

Said resolution is as follows, to wit:

H. Res. 10. A resolution directing the Auditor of Public Accounts to refund the various former liquor dealers in the counties of Kentucky that have become dry since June 30th, 1919, that portion of the state license that was unearned

at the time it became unlawful to sell by retail spirituous, vinous or malt liquors in said counties.

Whereas, under section 3115-11/12F of the United States Compiled Statutes it became unlawful after June 30th, 1919, to sell spirituous, vinous or malt liquors, and,

Whereas, all dealers in spirituous, vinous or malt liquors by reason of the law were compelled to obtain license for a whole year, and,

Whereas, they paid for a privilege for many months which they did not get by reason of the laws of the United States, and,

Whereas, it was not the intention of the law, or any law that the state should accept and keep money for a privilege which it did not protect; therefore,

*Be it resolved by the General Assembly of Kentucky:*

§ 1. That the Auditor of Public Accounts of the State of Kentucky is hereby directed to issue his warrant on the State Treasury in favor of the various holders of state licenses in those counties which have become dry since June 30th, 1919, for such proportion of said state license as the unexpired period of the license bears to the whole year, and the Treasurer is hereby authorized to pay said amount. That is to say, he shall ascertain the date it became unlawful to sell spirituous, vinous or malt liquors in said counties and shall refund to the various holders of such licenses the unearned portion thereof.

§ 2. This money having long since been due, an emergency is hereby declared to exist and this resolution shall take effect from and after its adoption.

Mr. Hebron Lawrence offered the following amendment to said resolution, to wit:

Provided that no funds shall be returned until the holder of said license shall have filed a sworn affidavit with the Aud-

itor that he has not, by himself, agent or employe, directly or indirectly, sold nor permitted malt, vinous or alcoholic liquors during any part of the time for which he claims rebate in said license.

Mr. Murphy accepted the amendment offered by Mr. Lawrence.

Mr. A. S. Cooper then moved to refer said resolution and amendment to the Committee on Alcoholic Liquor Traffic.

Mr. Hardin made the point of order that said motion is not debatable.

The Chair sustained the point of order.

Then said motion to refer was put to the vote viva voce and the Chair being in doubt as to the result, a division was called for and it was ordered that the House divide on the question of reference to committee, and the vote being taken thereon said motion to refer was duly carried and it was ordered that said resolution and amendment be, and they are, hereby referred to the Committee on Alcoholic Liquor Traffic.

Mr. McLellen offered a joint resolution instructing the State Librarian to purchase for the General Assembly thirty copies of the Kentucky Statutes and ten copies of the Kentucky Codes.

Under the rules said resolution lies over.

Mr. Joseph Lazarus asked unanimous consent to withdraw House Resolution No. 8 providing for an Assistant Doorkeeper, which unanimous consent was granted and thereupon Mr. Lazarus withdrew said resolution from consideration of the House.

Dr. Yazell, Representative from Mason county, was granted indefinite leave of absence on account of serious sickness of some of his patients.

Upon call of the counties and Representative districts for the introduction of bills the following bills were introduced, ordered printed, and referred to committees as follows, to wit:

By Mr. Geveden:

H. B. 1. An act to amend and re-enact section 1730, Kentucky Statutes, Carroll's edition, 1915, relating to farm fences.

Referred to the Committee on Agriculture

By Mr. Geveden:

H. B. 2. An act to amend and re-enact section 4019a-10, Kentucky Statutes, Carroll's edition, 1918, relating to taxation.

To Committee on Revenue and Taxation.

By same:

H. B. 3. An act to define common schools.

To Committee on Education No. 1.

By Mr. Vose:

H. B. 4. An act relating to and increasing the pay or compensation of grand and petit jurors in the circuit courts of this state and also the jury commissioners in and for said county and repealing any act or acts in conflict with this act.

To Committee on Kentucky Statutes.

By Mr. Pryse:

H. B. 5. An act to amend and re-enact section 1763 of article 18 of chapter 47, entitled "Salary of Deputies—Maximum Allowed."

To Committee on Public Offices.

By same:

H. B. 6. An act relating to the exhibition of moving picture films, providing for the examination, approval and licensing of moving picture shows, and the operators of moving picture machines and providing penalties for violation of this act.

To Committee on Public Health.

By same:

H. B. 7. An act providing for the trial of suits in equity orally in open court.

To Committee on Codes of Practice.

By same:

H. B. 8. An act to fix the time of holding courts in the 23rd Judicial District.

To Committee on Circuit Courts.

By Mr. Truesdell:

H. B. 9. An act to amend and re-enact an act entitled, "Act to amend section 2740 and section 2741 of article 1,

chapter 89, Kentucky Statutes, Carroll's revised edition, 1915, relating to the classification of cities and towns," being chapter 83, page 619, Acts of the General Assembly of Kentucky, 1916.

To Committee on Classification of Cities and Towns.

By Mr. Ciarlo:

H. B. 10. An act to repeal subsection 2 of section 223, Criminal Code of Practice relating to testimony of defendant in criminal prosecutions.

To the Committee on Codes of Practice.

By Mr. Swope:

H. B. 11. An act relating to deeds and mortgages and other instruments of writing.

To Committee on Kentucky Statutes.

By Mr. Cruse:

H. B. 12. An act to repeal section 2276 of John D. Carroll's volume 3, 1918 supplement, Kentucky Statutes, and to repeal section 2260 of John D. Carroll's 1915 Kentucky Statutes, and re-enact section 2260, John D. Carroll's Kentucky Statutes relating to the pay of jurors in the circuit and inferior courts.

To Committee on Public Offices.

By same:

H. B. 13. An act to repeal and re-enact sections 3382 and 3383 of Carroll's 1915 Kentucky Statutes, relating to the time of appointment and meeting of the board of tax supervisors—cities of the third class.

To Committee on Cities of the Third Class.

By Mr. Vose:

H. B. 14. An act relating to the liability of sureties on official bonds of peace officers.

To Committee on Kentucky Statutes.

By Mr. Laughlin:

H. B. 15. An act to regulate the standing of male animals for public service, specifying the blood lines of same, requiring registration and providing penalty for violation.

To Committee on Agriculture.

By same:

H. B. 16. An act to amend section 965, Kentucky Statutes, relating to circuit court in the 19th Judicial District.

To Committee on Circuit Courts.

By Mr. W. A. Stewart:

H. B. 17. An act to amend section 2251 of the Kentucky Statutes, Carroll's edition, 1915, relating to the per diem allowed grand jurors and increasing the pay thereof.

To Committee on Public Offices.

By same:

H. B. 18. An act to amend section 2260 of the Kentucky Statutes, Carroll's edition, 1915, relating to the per diem allowed petit jurors and increasing the pay thereof.

To Committee on Public Offices.

By Mr. Humphreys:

H. B. 19. An act entitled an act to amend an act entitled "An act relating to roads and passways," approved March 23, 1914, being section 4325 of Kentucky Statutes, Carroll's edition, volume 3, 1918, making the employment of county road engineers optional with fiscal court of each county.

To Committee on Public Roads and Highways.

By Mr. McLellen:

H. B. 20. An act to require justices of the peace in counties having cities of the first class to provide and maintain suitable room for the transaction of public business and authorizing the payment of the expense thereof.

To the Committee on Public Offices.

By Mr. McLellen:

H. B. 21. An act to amend section 1301, Kentucky Statutes, prescribing the power to punish for contempt by increasing the power of judges of county courts in counties having more than 150,000 inhabitants.

To Committee on Criminal Law.

By same:

H. B. 22. An act to amend section 2055 of Kentucky Statutes relating to the State Board of Health.

To Committee on Public Health.

By same:

H. B. 23. An act to amend section 356 of the Kentucky Statutes relating to the fees allowed jailors in counties having within their boundaries cities of the first class.

To Committee on Kentucky Statutes.

By same:

H. B. 24. An act to amend section 1772 of the Kentucky Statutes concerning salaries of Deputy Jailers.

To Committee on Public Offices.

By same:

H. B. 25. An act to amend section 1730 of the Kentucky Statutes providing for the keeping and dieting prisoners in jails of counties having therein cites of the first class.

To Committee on Kentucky Statutes.

By same:

H. B. 26. An act to regulate the business of making loans in the sum of three hundred dollars and less, &c.

To Committee on Banks and Banking.

By same:

H. B. 27. An act amending subsection 5 of an act of the General Assembly, entitled chapter 77 of the Acts of 1918, being "An act to create the office of Supervisor of Parents, who are charged with wilful desertion of indigent children under the age of 16 years, and to provide for the duties of

such Supervisor, to provide the manner in which he is to be appointed and removed from office, and to provide for his compensation in counties having a population of two hundred thousand or more, 'and to increase the salary of said Supervisor of Parents.' ''

To Committee on Criminal Laws.

By Mr. Goehringer:

H. B. 28. An act to amend section 1840 of the Kentucky Statutes, Carroll's edition, 1915, relating to the powers and jurisdiction of the fiscal court.

To the Committee on County and City Courts.

By Mr. Roth:

H. B. 29. An act concerning dwelling houses of cities of the first, second, third and fourth classes, relating to their construction, reconstruction, alteration, maintenance, light, ventilation, sanitation, inspection, protection, safety, control and regulation, and providing penalties for violations of this act.

To Committee on Public Health.

By same:

H. B. 30. An act relating to landlord and tenant and especially to the lien created under a lease and to the recovery of rent by the landlord.

To Committee on Kentucky Statutes.

By Mr. Kaufman:

H. B. 31. An act to amend section 1777 of the Kentucky Statutes, Carroll's edition, 1915, relating to the salaries of deputy tax commissioners and assistant assessors and draughtsmen in counties having a population of more than seventy-five thousand.

To Committee on Public Offices.

By Mr. VanHoose:

H. B. 32. An act to prohibit the publication of newspapers, periodicals and magazines in any language except the English language.

To Committee on Education No. 1.

By Mr. Murphy:

H. B. 23. An act entitled an act amending section 75 of the Criminal Code of Practice, Carroll's 1919 edition.

To Committee on Criminal Law.

By same:

H. B. 34. An act entitled an act repealing chapter 8, section 125m-1, section 125m-2, section 125m-3, section 125m-4, Carroll's Kentucky Statutes, 1915 edition, creating the office of detective, to be appointed by the Commonwealth's attorney in counties having cities of the second class, and approved March 22, 1918.

To Committee on Kentucky Statutes

By same:

H. B. 35. An act relating to reward of enlisted men in the service of the United States, military or naval, from the

State of Kentucky, during the war with Germany, or any part thereof, appropriating money to pay such reward and the expense incident thereto, creating a State Reward Board and designating the members thereof, providing method of distribution of money appropriated and defining status of enlisted men entitled to reward and fixing amount to be awarded each enlisted man and penalty for the violation of the provisions of this act.

To Committee on Appropriations.

By same:

H. B. 36. An act prohibiting betting or wagering on horse races other than at licensed race tracks, and prescribing a penalty therefor.

To Committee on Racing Commission.

By same:

H. B. 37. An act to amend section 4464 of the Kentucky Statutes, relative to attesting by trial judge the transcript of testimony taken by an official stenographic reporter.

To Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 38. An act to create the office of State Inspector of Plumbing, defining the duties of the office, fixing the compensation of the incumbent thereof, and fixing a penalty for the violation of any of the provisions of this act.

To Committee on Public Offices.

By same:

H. B. 39. An act to provide for the relief of needy blind in counties.

To Committee on Appropriations.

By Mr. Caudel:

H. B. 40. An act providing for a license tax on persons, firms, associations and corporations engaged in the business of mining coal, with certain exceptions.

To the Committee on Mines and Mining.

By Mr. McCandless:

H. B. 41. An act to repeal sections 2 and 5 of chapter 11, which is an act entitled, "An act to abolish the assessor's office," and provide in lieu thereof a county tax commissioner and the duties of taxpayers in relation thereto.

To Committee on Revenue and Taxation.

By Mr. McCandless:

H. B. 42. An act entitled an act to amend section 2 of chapter 173 of the Acts of the General Assembly of 1918, relating to the pay of jurors.

To the Committee on Public Offices

By Mr. Mason:

H. B. 43. An act to amend and re-enact section 203 of the Criminal Code of Practice relating to the number of peremptory challenges allowed to the defendant in prosecutions for felony and in prosecutions for misdemeanor.

To Committee on Codes of Practice.

By Mr. Hanberry:

H. B. 44. An act to empower the several counties of this Commonwealth to acquire, own and operate ferries across navigable streams and to condemn land and existing ferry franchises for that purpose.

To Committee on Kentucky Statutes.

By Mr. Strange:

H. B. 45. An act authorizing counties of the State of Kentucky containing cities of the second and third class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same and providing a tax levy for hospital expenses and maintenance and providing for training school for nurses in connection therewith.

To Committee on Public Health.

By Mr. Wheeler:

H. B. 46. An act to amend and re-enact sections 2739g-2, 2739g-3, 2739g-5, 2739g-6, 2739g-14, Kentucky Statutes relating to motor vehicles and providing for the registration of same with county clerks instead of with the Secretary of State, and providing that each county shall have the use of its own license fees for the county road fund.

To Committee on Public Roads and Highways:

By Mr. Wheeler:

H. B. 47. An act to amend and re-enact section 68b-4, Kentucky Statutes, relating to licensing of dogs and protection of live stock, being a section of the act known as "An act to promote and protect live stock industries in Kentucky."

To Committee on Agriculture.

By same:

H. B. 48. An act to amend and re-enact section 1954c-34, Kentucky Statutes, relating to hunting without license and providing penalties therefor.

To Committee on Fish and Game.

By Mr. Hardin:

H. B. 49. An act to change and fix the time for holding terms of circuit court in the Fifth Circuit Court Judicial District of Kentucky (composed of the counties of Henderson, Union and Webster) and declaring an emergency.

To Committee on Judicial Districts.

By Mr. Carr:

H. B. 50. An act to provide for the establishment, opening and maintenance of private passways leading from a public highway to the home of a landowner whose property does not abut upon such public highway.

To Committee on Public Roads and Highways.

By Mr. Carr:

H. B. 51. An act to amend subsection 1 of section 68a, Carroll's Kentucky Statutes, 1915 edition, relating to the

listing of dogs with the assessor for the purpose of taxation, and the taxation of dogs, allowance of claims by the fiscal court, defining who shall be deemed the owner and entitled to list a dog for taxation and other matters relating to dogs and the payment for sheep.

To Committee on Kentucky Statutes.

By Mr. Bennett:

H. B. 52. An act to require corporations, associations, partnerships or individuals employing ten or more persons, and issuing script on check, to redeem same in lawful money of the United States upon the third Monday in each calendar month.

To Committee on Mines and Mining.

By Mr. Huntsman:

H. B. 53. An act requiring the payment of a license tax for operating hat and coat racks or check rooms at hotels or other places where the public is entertained.

To Committee on Revenue and Taxation.

By same:

H. B. 54. An act to repeal chapter 130 of the Session Acts of 1918.

To Committee on Revenue and Taxation.

By same:

H. B. 55. An act to amend and re-enact chapter 1 of the Session Acts of 1918 relating to expenses and employes of the State Tax Commission.

To Committee on Revenue and Taxation.

By Mr. Cox:

H. B. 56. An act making it the duty of trustees to procure suitable U. S. flags and cause them to be displayed on school buildings and grounds during school terms.

To Committee on Education No. 2.

Dr. Welch moved that the House do now adjourn.

Said motion was adopted and the House adjourned to meet Wednesday morning at 10 o'clock.

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WEDNESDAY, JANUARY 14, 1920.

House was called to order at ten o'clock a. m. by Speaker, Mr. Bosworth.

Then the House was opened with prayer by Rev. S. S. Daughtry, pastor of the South Frankfort Presbyterian Church.

The roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | J. M. Billiter | Roy J. Cain |
| Sidney Alfrey | W. M. Boling | W. T. Carner |
| L. H. Ballard | Jo F. Bosworth | J. F. Carr |
| S. M. Bennett | Rodney G. Bryson | T. L. Caudel |

| | | |
|---|---|---|
| Charles M. Ciarlo | Dr. S. D. Laughlin | E. E. Shannon |
| A. S. Cooper | Hebron Lawrence | Dr. B. F. Shields |
| J. S. Cruse | Joseph Lazarus | H. G. Skiles |
| P. A. Day | Rev. J. A. Lee | S. G. Smith |
| H. N. Dean | Elmer Lusby | R. Lee Stewart |
| J. B. Denues | R. C. Marcum | Wm. A. Stewart |
| H. C. Duffy | I. S. Mason | John T. E. Stites |
| J. M. Foster | A. J. McCandless | T. R. Stults |
| Dr. T. H. Gamblin | R. L. McFerron | John W. Swope |
| J. W. Geveden | Homer C. McLellen | John B. Thomas |
| Dr. W. L. Gossett | Harry J. Meyers | J. Mack Thompson |
| A. F. Hanberry | Mack J. Morgan | J. H. Thompson |
| E. C. Hardin | John T. Murphy | C. B. Truesdell |
| Dr. W. L. Haynes | Estill W. Neel | John L. Trumbo |
| D. J. Howard | Chas. A. Nelson | J. Wood Vance |
| A. R. Hudson | T. P. Oliver | Fred C. VanHoose |
| Adam W. Huff | T. C. Pryse | Daniel Vose |
| Robt. Humphreys | S. C. Ray | Geo. C. Waggoner |
| R. O. Huntsman | B. F. Reynolds | A. M. Wash |
| J. W. Johnson | J. L. Richardson | J. S. Webb |
| Henry Kaufman | Sherman Robbins | Dr. T. R. Welch |
| Griffin Kelly | Lee Rogers | Gladstone Wesley |
| Frank Kennard | B. A. Roth | W. G. Wheeler |
| W. L. Kimbrough | Dr. Lewis Ryans | R. E. Wilborn |
| J. M. Knott | Chas. R. Scott | —86 |

On motion of Mr. Lazarus the reading of the Journal of yesterday was dispensed with and the Journal was approved.

The annual report of the Covington & Cincinnati Bridge Company was presented to the House.

Said report is as follows, to wit:

ANNUAL REPORT COVINGTON & CINCINNATI BRIDGE COMPANY
DECEMBER 31, 1918.

| | | | |
|---|---|---|---|
| Balance Dec. 31, 1917 | | | $47,941.97 |
| Receipts— | | | |
| Bridge tolls | $206,633.46 | | |
| Rents | 1,149.05 | | |
| Interest | 401,15 | | |
| Repairs | 17.25 | | |
| Expense | 29.06 | | |
| | | | 208,229.97 |
| Expenses— | | | |
| Expense | $5,737.42 | | |
| Collectors and employes | 28,863.13 | | |
| Fuel and lights | 1,536.27 | | |
| Repairs | 1,346.55 | | |
| Legal expenses | 1,535.40 | | |
| Taxes | 32,789.02 | | |
| Pensions | 312.00 | | |
| War Insurance | 5,749.96 | | |
| Interest | 30,817.90 | | |
| | | $108,687.65 | |
| Bridge extension | | 41,495.71 | 2,734.29 |
| Dividends | | 60,000.00 | |
| Sinking fund | | 37,500.00 | |
| U. S. Bonds | | 5,000.00 | |
| Non-preferred stock | | 25,020.00 | |
| Bills payable | | 65,000.00 | 84,500.00 |
| Balance Dec. 31, 1918 | | 702.87 | |
| | | $343,406.23 | $343,406.23 |

The Speaker appointed in addition to the appointments heretofore made the following members on the committees indicated as follows, to wit: Mr. S. C. Ray on Committee on

Agriculture; Mr. J. M. Knott on Committee on Banks and Banking; Mr. G. C. Waggoner on Committee on Rules.

Mr. Waggoner moved that the Chair appoint a committee of two members to invite the Governor and the members of the Senate to attend the memorial services to be held today in honor of Capt. Reuben Hutchcraft.

Said motion was adopted.

Thereupon the Speaker appointed as said committee Mr. Waggoner and Mr. A. S. Cooper.

After a while said committee reported that their duties had been performed.

A message was received from the Senate stating that that body had concurred in House Resolution No. 12, entitled, "Concurrent resolution asking Congress to pass an act with necessary appropriation to make the Mammoth Cave a national park.

Ordered that said resolution be enrolled.

House Resolution No. 13, by Mr. McLellen, was taken up for consideration.

Said resolution reads as follows:

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

1. That the State Librarian be, and he is, hereby authorized and instructed to purchase from the publishers for the use of the General Assembly thirty copies of the latest edition of the Kentucky Statutes and ten copies of the Kentucky Codes; twenty copies of the Kentucky Statutes and six copies of the said Codes to be for the use of the House of

Representatives, and ten copies of the said Statutes and four copies of the Codes to be for the use of the Senate; all of said books to be the property of the Commonwealth of Kentucky.

2. A sum sufficient to pay for the thirty copies of the latest edition of the Kentucky Statutes and said ten copies of the Kentucky Codes is hereby appropriated for that purpose out of any funds in the State Treasury not otherwise appropriated.

3. An emergency is hereby declared to exist and this resolution shall become effective upon its passage and approval.

Mr. A. M. Wash moved that said resolution be amended by inserting the word "ten" instead of the word thirty, and by inserting the word "two" instead of the word ten, and that there should be an equal division of that number of Statutes and Codes between the Senate and the House of Representatives.

Said motion was rejected.

Thereupon a roll call was had on said resolution, which resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | T. L. Caudel | A. F. Hanberry |
| Sidney Alfrey | Charles M. Ciarlo | E. C. Hardin |
| L. H. Ballard | J. S. Cruse | Dr. W. L. Haynes |
| S. M. Bennett | P. A. Day | Talbert Holliday |
| J. M. Billiter | H. N. Dean | A. R. Hudson |
| W. M. Boling | J. B. Denues | Adam W. Huff |
| Rodney G. Bryson | J. M. Foster | Robt. Humphreys |
| Roy J. Cain | Dr. T. H. Gamblin | R. O. Huntsman |
| W. T. Carner | Dr. W. L. Gossett | Henry Kaufman |
| J. F. Carr | A. L. Hamilton | Griffin Kelly |

| | | |
|---|---|---|
| W. L. Kimbrough | T. P. Oliver | John W. Swope |
| Dr. S. D. Laughlin | T. C. Pryse | J. Mack Thompson |
| Hebron Lawrence | S. C. Ray | J. H. Thompson |
| Joseph Lazarus | J. L. Richardson | Dr. D. J. Travis |
| Rev. J. A. Lee | Sherman Robbins | C. B. Truesdell |
| Elmer Lusby | Lee Rogers | John L. Trumbo |
| R. C. Marcum | B. A. Roth | J. Wood Vance |
| I. S. Mason | Dr. Lewis Ryans | Daniel Vose |
| A. J. McCandless | W. P. Scott | J. S. Webb |
| Homer C. McLellen | H. G. Skiles | Gladstone Wesley |
| Harry J. Meyers | S. G. Smith | W. G. Wheeler |
| Mack J. Morgan | H. A. Spillman | R. E. Wilborn |
| John T. Murphy | R. Lee Stewart | W. N. Winn |
| Estill W. Neel | John T. E. Stites | |
| Chas. A. Nelson | T. R. Stults | —73 |

Those who voted in the negative were—

| | | |
|---|---|---|
| H. C. Duffy | Frank Kennard | Fred C. VanHoose |
| J. W. Geveden | E. E. Shannon | A. M. Wash |
| J. W. Johnson | John B. Thomas | —8 |

Therefore said resolution was adopted.

Mr. Joseph Lazarus moved that the vote by which said resolution was adopted be reconsidered.

Said motion was seconded by Mr. Hudson.

Said motion was adopted.

Then Mr. Lazarus moved that said resolution be referred to the Committee on Appropriations.

Said motion was adopted and it was so ordered.

Upon a roll call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered printed and referred, to wit:

By Mr. Neel:

H. B. 57. An act to amend section 4 of chapter 11, Acts of the General Assembly of 1917, relating to revenue and taxation.

To Committee on Revenue and Taxation.

By Mr. Ciarlo:

H. B. 58. An act to amend an act entitled "An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for the feeble-minded children, and sections 2155 to 2171 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concerns idiots and lunatics, and to provide penalties for the violation of this act," which was approved March 26, 1918.

To Committee on Public Health.

By Mr. Swope:

H. B. 59. An act that section 4405, Kentucky Statutes, Carroll's 1915 edition, to be, and is, hereby amended and reenacted to read as follows: to furnish text books for indigent children.

To Committee on Education No. 1.

By Mr. Smith:

H. B. 60. An act relating to roads and bridges; creating the Department of State Roads and Highways; providing

for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provision of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States Government; providing for the payment of the State's part of the construction of State Aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a primary system of State Highways and providing for their construction and maintenance; providing for the obtaining of rights of way; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356-t, Kentucky Statutes, edition 1915, also repealing sections 4356-u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, of section 4356x, Kentucky Statutes, edition 1915, and the supplement to said edition known as volume 3, repealing any other act or acts in conflict herewith.

To Committee on Public Roads and Highways.

By Mr. Ray:

H. B. 61. An act to fix the price of gas in Kentucky.

To Committee on Public Utilities.

By Mr. Cooper:

H. B. 62. An act. title "to expedite litigation and fix the time from which interest on all final judgments on unliquidated claims shall be calculated."

To Committee on Kentucky Statutes.

By Mr. Cooper:

H. B. 63. An act to require fiscal courts to provide for payment of attorneys who are appointed by judges of courts throughout the Commonwealth of Kentucky to defend indigent prisoners.

To Committee on Kentucky Statutes.

By Mr. Cooper:

H. B. 64. An act to encourage the building of state and federal aid intercounty seat roads.

To Committee on Public Roads and Highways.

By Mr. Cooper:

H. B. 65. An act to enlarge the duties of quarterly courts and relieve congested circuit courts.

To Committee on Circuit Courts.

By Mr. Hamilton:

H. B. 66. An act to make and constitute "Armistice Day," the eleventh day of November in each year, a legal holiday, and providing for the observance thereof.

To Committee on Ways and Means.

By Mr. Webb:

H. B. 67. An act to amend the charter of cities of the 4th class, being article 5, chapter 89, Kentucky Statutes.

To Committee on Cities of the Fourth Class.

By same:

H. B. 68. An act to amend and re-enact section 4019, Kentucky Statutes, being an act to amend and re-enact section 1 of an act relating to revenue and taxation.

To Committee on Revenue and Taxation.

By Mr. Richardson:

H. B. 69. An act to prohibit the practice of law by corporations.

To Committee on Judiciary.

By Mr. Bennett:

H. B. 70. An act to amend and re-enact section 4042a-12 Carroll's 1915 edition, Kentucky Statutes, relating to the tax commissioner's office hours; when commissioner to call upon taxpayer; when assessment books to be made up; taxpayer's oath before person other than commissioner.

To Committee on Revenue and Taxation.

By same:

H. B. 71. An act to regulate the appointment of persons to the office of Assistant Inspector of Mines in this Commonwealth.

To Committee on Mines and Mining.

By Mr. Stewart:

H. B. 72. An act prohibiting combinations and pooling by bridge and highway contractors.

To committee on Kentucky Statutes.

By Mr. Stewart:

H. B. 73. An act providing for the creation of a children's code commission and prescribing the duties of the same.

To Committee on Juvenile Courts and Children's Home.

By Mr. Lawrence:

H. B. 74. An act to prohibit anarchy, Bolshevism, Industrial Workers of the World, and Syndicalists, and to provide punishment against same, and prohibit the destruction of property and life by same and to provide punishment.

To Committee on Military Affairs.

By same:

H. B. 75. An act to provide for the payment of all members of boards, institutions, departments or commissions, accounts for traveling expenses of state officers, attorneys or employes that are to be paid out of the State Treasury.

To Committee on Public Offices.

By same:

H. B. 76. An act to prohibit the manufacturing, making, selling, loaning, giving and procuring for another, any decoction containing denatured alcohol as a beverage and to provide punishment therefor.

To Committee on Alcoholic Liquor Traffic.

By Mr. Lawrence:

H. B. 77. An act to abolish the office of State Fire Marshal and to assign the duties thereof to the sheriffs of the several counties of this Commonwealth.

To Committee on Retrenchment and Reform.

By Mr. McLellen:

H. B. 78. An act for the benefit of the Red Cross Association (colored) of Louisville.

To Committee on Appropriations.

By Mr. Williamson:

H. B. 79. An act to amend section 2 of chapter 31 of an act of the General Assembly of 1916, which is "An act for the protection of game birds and game animals, fixing open and closed seasons and providing penalties for violation."

To Committee on Fish and Game.

By Mr. Mason:

H. B. 80. An act to repeal and re-enact chapter 22B, section 415B, Kentucky Statutes, Carroll's 1915 edition, and all amendments thereto.

To Committee on Retrenchment and Reform.

By Mr. Hudson:

H. B. 81. An act to repeal section 3783, Kentucky Statutes, relating to county patrol, and re-enact the same so as to prescribe the duties, powers, salary and organization of county patrol in counties having a population of over 150,000 inhabitants.

To Committee on Municipalities.

By Mr. Dean:

H. B. 82. An act to repeal subsection 1, section 606, Carroll's Code.

To Committee on Codes of Practice.

Mr. Haynes moved to take recess until 11:15 a. m. on today.

Said motion was adopted and thereupon the House recessed.

At 11:15 a. m. the House reconvened and at twelve o'clock the Governor, Lieutenant Governor and Senate appeared on the floor of the House chamber.

The Speaker then called Hon. H. C. Duffy to the chair to preside during the memorial services in honor of Capt. Reuben Hutchcraft.

Mr. Duffy spoke of the life and public services of Capt. Hutchcraft, after which the following program was announced and carried out:

MEMORIAL SERVICES IN MEMORY OF CAPTAIN REUBEN HUTCHCRAFT.

Escort of family by members of the American Legion. (Members of House standing).

1. Star Spangled Banner—By Reformatory Band.
2. Prayer—By Rev. Roger T. Nooe.
3. Music—Quartette—"The Recessional."
4. Addresses—Messrs. Thompson, Cooper, H. J. Meyers, Wainscott.
5. Reading—"In Flanders' Field"—by Prof. J. W. Ireland.
6. Music—"My Old Kentucky Home."
7. "Taps"—Joseph Clark.

The Committee on Resolutions, composed of Messrs. Duffy, Waggoner and Cooper, presented the following resolutions, which were adopted and ordered to be printed in full in the Journal:

RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES IN MEMORY OF CAPTAIN REUBEN HUTCHCRAFT, A FORMER MEMBER THEREOF.

Reuben Hutchcraft was nominated and elected without opposition, to the office of Representative from Bourbon county in the fall of 1913. He served with distinction through the session for which he was elected, and again in 1915 was re-elected by the people of Bourbon county to represent them in the House of Representatives of the General Assembly of the State of Kentucky, and was also a member of the special session of 1917. Through all of his legislative career, he served with distinction and splendid ability. He was recognized by his colleagues and the people of Kentucky as one of its foremost and most constructive legislators.

He was comparatively young in years, having been born on the 15th day of December, 1886, the son of Dorcas A. and Reuben B. Hutchcraft, in the city of Paris, Bourbon county, Kentucky. His parents, two sisters, Miss Mary F. Hutchcraft and Miss Helen Hutchcraft, survive him. He received his early education and training in the local schools, and at that age gave promise "of those splendid traits of mind and heart which later in life so distinguished him." He was graduated from the Kentucky University, now Transylvania College, in the year 1907, with high honors, having received the degree of Bachelor of Arts. He became a post-graduate student in Harvard University, and in the year 1911 graduated from the Harvard Law School, with the degree of Bachelor of Law. In his senior year at the Harvard Law School he became an associate editor of the Harvard Law Review. The articles he contributed thereto display great application and

keen legal research and splendid literary as well as legal expression.

He began the practice of law in Paris, Kentucky, in the fall of 1911. He displayed able, resourceful and courageous ability as a practitioner. He did not remain actively in the profession very long, for his people, recognizing his promise and evidence of splendid ability and keen aptitude for state, political and governmental questions, sent him to the General Assembly of Kentucky. His career therein, heretofore referred to, was brilliant, able and highly noteworthy, and his efforts for and success in having enacted constructive legislation stamped him as a leader in such important affairs. During the year 1915 he became a member of the law faculty of the Law Department of the University of Kentucky, at Lexington. He there remained for a period of about two years, except when engaged in the sessions of the Legislature.

In the year 1917 the bugle call to arms resounded in every home and fireside of this union. The martial spirit of cruel war permeated the heart of every patriotic citizen of this great country, not in the spirit of aggression or conquest but of freedom's cause as well as to avenge the insults and indignities which had been offered our nation's flag and its sovereignty by the insolent acts of a tyrannous foe. This call to arms impressed no one more seriously or earnestly than Reuben Hutchcraft, and with splendid courage, physical and moral, as was characteristic of him throughout his career, he responded nobly and promptly to the call of his country to defend and maintain her cause and purposes beyond the seas, in foreign climes, and in the vortex of seething, raging battles, the greatest in all history. In the early spring of 1917 he went to the Officers' Training Camp at Fort Benjamin Harrison, Indiana. He completed his course and received a commission as first lieutenant. In the fall of the same year he was sent abroad. From first lieutenant he was quickly promoted to captain in the 166th United States In-

fantry, a part of the famous Rainbow Division. He was actively engaged with America's first combat troops until his death. On the 7th day of November, 1918, near Sedan, he volunteered to perform a dangerous duty, to lead his old command on a dangerous mission. This duty properly belonged to the lieutenant, who was absent. Other commanders were near, whose duty it was to take charge of the troops who were called upon to make this dangerous journey, the performance of which meant to many of them, if not all, the supreme sacrifice. It meant meeting and greeting death face to face. It was a duty the performance of which Reuben Hutchcraft could have honorably declined, but he never faltered. At this moment of his important decision to lead those heroes who followed him into the merciless stream of enemy machine gun fire, he realized, no doubt, that a loving and devoted father and mother and his sisters were offering fervent prayers to God for His divine protection and for safety of their loved one, that the odds of his returning to them alive were greatly against him. He no doubt realized the splendid career behind him and the promise and expectancy of still greater achievements and accomplishments in civil life that would most likely be his, yet he did not hesitate, and the swelling tide of patriotic emotion and of love of country impelled him to a decision to go upon the performance of a mission of extremely great danger. From this perilous journey he never returned. He was stricken unto death just four days before the armistice hushed the roar of cannon, the crack of rifle, the explosion of bomb, and sheathed the sword, and the gentle sun of peace, "with healing in his wings," topped the eastern horizon of a world in flame of battle and scattered the mists of war, slowly but surely sending its beneficent rays throughout the realms of a benighted, war-cursed world.

Captain Hutchcraft gave his all, his life, his splendid promise of future achievements, bringing unassuaged grief and broken hearts to loved ones at home, generously and unsparingly laying all these precious things upon the altar of

his country in one grand unsurpassed sacrifice that the Stars and Stripes may still forever flutter in the breezes of freedom, and that the sovereignty of this great country he loved and served so well should not be traduced or abused.

Peace to his ashes, that mingle with the soil of France. May the memory of this man serve as an inspiration to his fellows to courageously, earnestly and unselfishly dare to and to do and perform those highest and noblest duties of citizenship, to love and revere the traditions and history of the great country he so gloriously died for.

"If a star were quenched on high,
For ages would its light,
Still traveling downward through the sky,
Shine on our mortal sight.

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men."

Be it resolved that the heart of every member of the House of Representatives swells with manly pride and patriotic emotion when the life deeds, civil and military, of Captain Hutchcraft are so feebly recited, for words are poor indeed to fully express our appreciation of this manly and courageous man.

Be it further resolved that these resolutions be spread upon the Journal of this House and a copy thereof given to the grief-stricken members of his family, to whom each and every member hereof extends his tenderest sympathy.

The Speaker resumed the chair.

Mr. Vose moved that the House do now adjourn.

Said motion was adopted.

Then at 1:10 p. m. the House adjourned.

## THURSDAY, JANUARY 15, 1920.

House was called to order at ten o'clock a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Dr. Clark, pastor of the Methodist Church, Frankfort, Kentucky.

A roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | J. W. Geveden | Homer C. McLellen |
| Sidney Alfrey | Dr. W. L. Gossett | Harry J. Meyers |
| L. H. Ballard | A. L. Hamilton | Claude D. Minor |
| H. H. Barnes | Dr. W. L. Haynes | Mack J. Morgan |
| W. T. Beckham | Talbert Holliday | John T. Murphy |
| S. M. Bennett | D. J. Howard | Estill W. Neel |
| J. M. Billiter | A. R. Hudson | Chas. A. Nelson |
| W. M. Boling | Adam W. Huff | T. C. Pryse |
| Jo F. Bosworth | Robt. Humphreys | S. C. Ray |
| Rodney G. Bryson | R. O. Huntsman | B. F. Reynolds |
| Roy J. Cain | J. W. Johnson | J. L. Richardson |
| W. T. Carner | Henry Kaufman | Sherman Robbins |
| J. F. Carr | Griffin Kelly | Lee Rogers |
| T. L. Caudel | Frank Kennard | B. A. Roth |
| Charles M. Ciarlo | W. L. Kimbrough | Dr. Lewis Ryans |
| A. S. Cooper | J. M. Knott | Chas. R. Scott |
| B. L. Cox | Dr. S. D. Laughlin | W. P. Scott |
| J. S. Cruse | Hebron Lawrence | E. E. Shannon |
| P. A. Day | Joseph Lazarus | Dr. B. F. Shields |
| H. N. Dean | Rev. J. A. Lee | H. G. Skiles |
| J. B. Denues | Elmer Lusby | S. G. Smith |
| H. C. Duffy | R. C. Marcum | H. A. Spillman |
| J. M. Foster | I. S. Mason | R. Lee Stewart |
| Dr. T. H. Gamblin | A. J. McCandless | Wm. A. Stewart |
| B. J. Goehringer | R. L. McFerron | John T. E. Stites |

| | | |
|---|---|---|
| Frank L. Strange | John L. Trumbo | Dr. T. R. Welch |
| T. R. Stults | J. Wood Vance | Gladstone Wesley |
| John W. Swope | Fred C. VanHoose | W. G. Wheeler |
| John B. Thomas | Daniel Vose | R. E. Wilborn |
| J. H. Thompson | Geo. C. Waggoner | V. M. Williamson |
| Dr. D. J. Travis | A. M. Wash | |
| C. B. Truesdell | J. S. Webb | —94 |

On motion of Mr. Lazarus the reading of the Journal of yesterday, January 14th, was dispensed with and the Journal approved.

Mr. Thomas Spurrier, a former member of the House, was given the privilege of the floor.

House Bill No. 13 was, by the Speaker, referred to the Committee on Municipalities.

The Committee on Appropriations reported House Resolution No. 13 entitled, "To appropriate money for purchase of Statutes and Codes," with the expression of opinion that it ought not to pass.

Mr. E. W. Neel moved that the report of the committee be adopted.

Mr. Harry J. Meyers moved the previous question.

Thereupon the Speaker stated: "Shall the main question be now put?"

The question was decided in the affirmative.

Then said report was adopted.

Mr. Harry J. Meyers moved that when the House adjourn it do adjourn to reconvene on Monday, January 19th, 1920, at 1 o'clock p. m.

Said motion was adopted.

Upon a roll call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered printed and referred, to wit:

By Mr. Vance:

H. B. 83. An act to amend and re-enact section 1 of chapter 4, Acts of 1918, relating to revenue and taxation, providing for an annual tax levy and the distribution thereof.

To Committee on Revenue and Taxation.

By Mr. Minor:

H. B. 84. An act prohibiting the organization of orders, bonds or organizations within the State of Kentucky the purpose of which is to oppose by revolution, violence or force, the laws or government of the Commonwealth of Kentucky or the United States of America, and commonly known as Industrial Workers of the World, or its kindred organizations, and prescribing penalties for the violation of this act.

To Committee on Military Affairs.

By Mr. Vose:

H. B. 85. An act to repeal and re-enact subsection 3490 of the Kentucky Statutes, Carroll's edition, 1915, relating to the general powers of the city councils of cities of the fourth class in the State of Kentucky.

To Committee on Cities of the Fourth Class.

By Mr. Truesdell:

H. B. 86. An act relating to cities of the fourth class, being an act to amend section 3511, Kentucky Statutes, Carroll's edition, 1915, entitled, "Qualifications of police judge."

To Committee on Cities of the Fourth Class.

By same:

H. B. 87. An act relating to cities of the fourth class, being an act to amend section 3512, Kentucky Statutes, Carroll's edition, 1915, entitled "Special Judge—Provisions for Selecting."

To Committee on Cities of the Fourth Class.

By Mr. Swope:

H. B. 88. An act relating to taxation on notes and bonds.

To Committee on Revenue and Taxation.

By same:

H. B. 89. An act to prohibit the slaughter of calves under 12 months of age, except male Jersey calves, and providing a penalty for a violation of this act.

To Committee on Kentucky Statutes.

By Mr. Cruse:

H. B. 90. An act to repeal and re-enact subdivision IX of article IV of chapter 89 of Kentucky Statutes, Carroll's edition of 1915, and the amendment thereto as provided in chapter 78, at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918

and relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office and meetings of the board of education of said cities of the third class, and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the election for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employes and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the boards of education, limiting the amount of tax that may be levied for school purposes, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the

board of education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

To Committee on Education No. 1.

By Mr. Shannon:

H. B. 91. An act to amend and re-enact section 2218 of the Kentucky Statutes, being section 2218 of an act entitled, "Interest and usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

To Committee on Banks and Banking.

By Mr. Lee:

H. B. 92. An act for non-performance of contract.

To Committee on Kentucky Statutes.

By same:

H. B. 93. An act to abolish the office of Fish and Game Warden.

To Committee on Retrenchment and Reform.

By same:

H. B. 94. An act to amend section 762a, subsection 22, regulating agreements between insurance companies and the insured.

To Committee on Life Insurance.

By Mr. Webb:

H. B. 95. An act to provide for wash rooms in certain employments, to protect the health of employes and secure public comfort.

To Committee on Mines and Mining.

By same:

H. B. 96. An act to provide for the safety of persons employed in and about coal mines and to provide for the examinations of persons seeking employment therein in order that only competent persons may be employed as miners, and to create a board of examiners for this purpose and to provide a penalty for the violation of the same.

To Committee on Mines and Mining.

By Mr. Huntsman:

H. B. 97. An act entitled an act to promote safety to the traveling public and provide a penalty for the same.

To Committee on Kentucky Statutes.

By same:

H. B. 98. An act to amend an act approved March 20, 1914, chapter 69, session 1914, Carroll's Statutes, section 2739, subsection 2, to regulate license and govern use of motor vehicles and provide penalty for a violation thereof.

To Committee on Revenue and Taxation.

By Mr. McLellen:

H. B. 99. An act to amend section 1884, Kentucky Statutes, relating to sheriff's settlements.

To Committee on Kentucky Statutes.

By Mr. Hudson:

H. B. 100. An act to amend section 2432, Kentucky Statutes.

To Committee on Appropriations.

By same:

H. B. 101. An act entitled an act to amend section 125c of the Kentucky Statutes relating to a stenographer for Commonwealth's attorneys in counties of over 200,000 and providing for an increase in salary thereof.

To Committee on Municipalities.

By Mr. Goehringer:

H. B. 102. An act to amend and re-enact section 2810, Carroll's Kentucky Statutes, edition of 1915, being section 48 of an act entitled "An act for the government of cities of the first class," approved July 1st, 1893, as amended by an act approved Feb. 4th, 1894, and by an act approved March 15, 1912.

To Committee on Municipalities.

By same:

H. B. 103. An act to amend and re-enact section 2834, Carroll's Kentucky Statutes, edition of 1915, being section 71 of the act entitled "An act for the government of cities of the first class," approved July 1, 1893.

To Committee on Municipalities.

By Mr. Meyers:

H. B. 104. An act defining optometry, creating and establishing the Kentucky State Board of Examiners in Optometry.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 105. An act to provide for the registration of architects, engineers and surveyors, to regulate the practice of architecture, engineering and surveying.

To Committee on Public Offices.

By Mr. Stewart:

H. B. 106. An act to pension worthy blind persons.

To Committee on Ways and Means.

By same:

H. B. 107. An act to prevent and stamp out venereal diseases, providing remedies against the spread of such diseases, etc.

To Committee on Public Health.

By Mr. McLellen:

H. B. 108. An act to amend section 4019a, Kentucky Statutes, relating to mortgage lien debts.

To Committee on Kentucky Statutes.

By Mr. Trumbo:

H. B. 109. An act to amend and re-enact section 26 of chapter 167 of the acts of 1918 entitled, "An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912 entitled, 'An act creating Boards of Education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith,' approved March 19, 1912."

To Committee on Education No. 2.

By Mr. Haynes:

H. B. 110. A bill to provide pensions to aged people subject to provisions of this act.

To Committee on Ways and Means.

By Mr. Wash:

H. B. 111. An act entitled an act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to cooperate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

To Committee on Education No. 1.

By same:

H. B. 112. An act to amend and re-enact section 4168, Kentucky Statutes (Carroll's 1915 edition) relating to compensation of sheriffs and collectors.

To Committee on Ways and Means.

By Mr. McCandless:

H. B. 113. An act prohibiting clerk of county from issuing marriage license to a person under 21 years without consent of parent or guardian, and requiring bond where applicant is unknown to clerk.

To Committee on Kentucky Statutes.

By same:

H. B. 114. An act prescribing the duties of mayor, chairman, chairman pro tem.

To Committee on Municipalities.

By same:

H. B. 115. An act to amend and re-enact section 4535h-1, qualifications of women voters in school elections.

To Committee on Suffrage and Elections.

By Mr. Mason:

H. B. 116. An act entitled: An act providing for the submission to the voters of the State of Kentucky for their rejection or ratification, amendments to sections 91, 93 and 95 of the Constitution of the State of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Billiter:

H. B. 117. An act to amend subsection 2 of section 68-b, Kentucky Statutes, Carroll's 1910 edition, relating to a tax upon dogs.

To Committee on Revenue and Taxation.

By Mr. Wesley:

H. B. 118. An act amending and re-enacting section 3677 and repealing 3678, Kentucky Statutes, Carroll's edition, 1915, relating to assessment and collection of taxes in cities of the sixth class.

To Committee on Revenue and Taxation.

By Mr. Waggoner:

H. B. 119. An act to provide for a commission form of government for cities of the fifth and sixth classes, its adoption to be optional with the citizens of such cities, and the judicial and the police functions and powers of same to be invested in the county authorities.

To Committee on Cities of Fifth and Sixth Class.

By Mr. Carr:

H. B. 120. An act to repeal the payment of reward of $50 for the capture and conviction of a horse thief.

To Committee on Criminal Law.

By Mr. Carr:

H. B. 121. An act to fix fees of county jailers for county prisoners.

To Committee on Public Offices.

By Dr. Laughlin:

H. B. 122. An act to amend section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

To Committee on Education No. 1.

On motion of Mr. Vance the privilege of the floor was extended to Mr. John T. Roach, a former member of this House.

An invitation was extended to the members of the House to attend a dinner given by the Oil Men's Association on Saturday evening, January 17th, 1920, at Phoenix Hotel, Lexington, Kentucky.

With a vote of thanks to the Oil Men's Association for said courtesy the invitation was accepted.

Bills were delivered to chairmen of the committees to which they had been referred, as follows: Nos. 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18. 19, 20, 21, 22, 23 24, 25. 27, 28, 30, 32, 33, 34, 36 and 37.

Mr. J. Mack Thompson was granted a leave of absence for today.

Mr. A. F. Hanberry was granted an indefinite leave of absence on account of sickness.

The Committee on Enrollments, by its chairman, Mr. S. C. Ray, reported that said committee had carefully compared the following enrolled resolutions: House Resolution No. 1 (providing for adjournment to Monday, January 12th, 1920), House Resolution No. 2 (proposing an amendment to the Constitution extending the right of suffrage to women), and House Resolution No. 12 (asking Congress to make Mam-

moth Cave estate a National Park), and had found same correctly enrolled.

Whereupon all other business of the House was suspended.

Said resolutions were severally read at length and compared in open House and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered said original and enrolled resolutions to the Clerk of the House.

Ordered, that the Chief Clerk deliver the enrolled resolutions, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Welch moved that the House do now adjourn.

Said motion was adopted.

Then the House, in accordance with the motion of Mr. Meyers, previously adopted on today, adjourned to reconvene Monday, January 19th, at 1 o'clock p. m.

MONDAY, JANUARY 19, 1920.

House was called to order at one o'clock p. m. by the Speaker, Mr. Bosworth.

House was opened by prayer by Dr. McGlothlin, pastor of the Baptist Church, Frankfort, Kentucky.

Roll call to ascertain presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | A. L. Hamilton | Harry J. Meyers |
| Sidney Alfrey | A. F. Hanberry | Claude D. Minor |
| L. H. Ballard | E. C. Hardin | Mack J. Morgan |
| H. H. Barnes | Dr. W. L. Haynes | John T. Murphy |
| W. T. Beckham | Talbert Holliday | Estill W. Neel |
| S. M. Bennett | D. J. Howard | Chas. A. Nelson |
| J. M. Billiter | A. R. Hudson | T. P. Oliver |
| Jo F. Bosworth | Adam W. Huff | T. C. Pryse |
| Rodney G. Bryson | Robt. Humphreys | S. C. Ray |
| Roy J. Cain | R. O. Huntsman | B. F. Reynolds |
| W. T. Carner | J. W. Johnson | J. L. Richardson |
| J. F. Carr | Henry Kaufman | Sherman Robbins |
| T. L. Caudel | Frank Kennard | Lee Rogers |
| Charles M. Ciarlo | W. L. Kimbrough | B. A. Roth |
| A. S. Cooper | J. M. Knott | Dr. Lewis Ryans |
| B. L. Cox | Dr. S. D. Laughlin | Chas. R. Scott |
| J. S. Cruse | Hebron Lawrence | W. P. Scott |
| P. A. Day | Joseph Lazarus | E. E. Shannon |
| H. N. Dean | Rev. J. A. Lee | Dr. B. F. Shields |
| H. C. Duffy | Elmer Lusby | H. G. Skiles |
| J. M. Foster | R. C. Marcum | S. G. Smith |
| Dr. T. H. Gamblin | I. S. Mason | R. Lee Stewart |
| B. J. Goehringer | R. L. McFerron | Wm. A. Stewart |
| J. W. Geveden | A. J. McCandless | John T. E. Stites |
| Dr. W. L. Gossett | Homer C. McLellen | Frank L. Strange |

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|---|---|---|
| T. R. Stults, | J. Wood Vance | Gladstone Wesley |
| John W. Swope | Fred C. VanHoose | W. G. Wheeler |
| J. Mack Thompson | Daniel Vose | R. E. Wilborn |
| J. H. Thompson | Geo. C. Waggoner | V. M. Williamson |
| Dr. D. J. Travis | A. M. Wash | W. N. Winn |
| C. B. Truesdell | Dr. T. R. Welch | Dr. W. S. Yazell |
| John L. Trumbo | J. S. Webb | —95 |

On motion of Mr. Cooper the reading of the Journal for Thursday, January 15th, was dispensed with and the Journal was approved.

Mr. Hamilton offered a resolution of the following title: "Joint Resolution of the Senate and House of Representatives of the General Assembly of Kentucky, providing for the submission to the voters of the state an amendment to the Constitution; providing that all proposed amendments to the Constitution of the United States shall be submitted to the vote of the people by the Secretary of State before being acted upon by the legislature of the state."

Under the rules, said resolution lies over for one day.

Mr. Cooper, of the Committee on Public Offices, to which had been referred House Bill No. 5, "An act to amend and re-enact section 1763 of article 18 of chapter 47, entitled 'Salary of Deputies—Maximum Allowed,' " reported same with the expression of opinion that it ought to pass.

Thereupon said bill was read the first time at length by the clerk and ordered to be placed in the calendar.

Mr. Huntsman, of the Committee on Rules, announced that said committee was ready to report and sent to the Clerk's desk the following report, which was read at length, to wit:

RULES OF THE HOUSE OF REPRESENTATIVES—SESSION 1920.

The Committee on Rules respectfully report to the House the accompanying rules for its government during the present session:

*Quorum of the House.*

Rule 1. Five members of the House shall constitute a quorum for the purpose of adjourning; fifteen members for the purpose of calling a House, for sending for absent members and of making an order for their censure and fine; a majority of the members may proceed to business, and the numbers mentioned in this rule shall have power, in the absence of the Speaker, to elect a Speaker pro tem. for the purposes above designated.

*Hour of Meeting and Adjournment.*

Rule 2. The standing hour of meeting each day shall be 10 o'clock a. m., standard time, and the standing adjournment shall be 1:30 p. m., except on Monday, when the hour of meeting shall be 1 o'clock p.m., and the hour of adjournment 3 p. m. Provided, however, that a majority of the House may elect to hold extra sessions at any time and extend the sitting of any session to any time within their discretion. The hour of meeting and adjourning of the body shall be governed by the House clock over the main entrance.

*The Powers and Duties of the Speaker.*

Rule 3. The Speaker shall take the chair every day at the hour to which the House adjourned on the preceding day; he shall immediately call the members to order, and, a quorum being present, shall cause the Journal of the preceding day to be read.

Rule 4. He shall preserve decorum and order and, in case of disturbance or disorderly conduct in the gallery or lobbies, may cause the same to be cleared. He shall have general control, except as provided by rule of law, of the hall of the

House and the corridors and passages, of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further ordered. He may speak to points of order in preference to other members, rising from the chair for that purpose. He shall decide questions of order, subject to an appeal to the House on request of any two members, and the members appealing shall reduce the appeal to writing.

The Speaker shall have supervision over the Clerks, Sergeant-at-Arms, Doorkeeper, Janitor, Pages or other employes of the House, and shall direct them as to their duties, and upon failure of any such officials to perform their duties, the Speaker shall have power to impose a fine upon such offender, not to exceed the per diem of such official or employe for each offense. Such fine shall be entered upon the Journal and deducted from the compensation due such offender.

Rule 5. The standing committees of the House, herein named, shall be appointed by the Speaker.

Rule 6. The Speaker may state questions sitting, but shall rise to put a question.

Rule 7. Questions shall be distinctly put in this form, viz. "Gentlemen, you who are of the opinion (as the question may be) say 'aye;' you of the contrary opinion say 'nay.' "

Rule 8. If the Speaker be in doubt as to the result of a vote, or a division be called for, the House shall divide; those in the affirmative of the question shall rise from their seats, and afterwards, those in the negative. If the Speaker be still in doubt, or a count be requested, the Speaker shall name two members, one from each side, to count those in the affirmative and the negative, which, being reported, he shall rise and state the decision of the House; provided, however, that such decision or count shall not be allowed after the House shall have proceeded to other business.

Rule 9. The Speaker shall have the right to name any member to perform the duties of the Chair, but such Speaker

pro tem. shall not be empowered to act beyond a period of five days.

Rule 10. No person shall be permitted upon the floor of the House except the Governor, his secretary, members of the Senate, such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation of the House, previously extended by vote of the House, and it shall be the duty of the Doorkeeper to exclude all persons not entitled to the floor of the House Chamber. If, however, other persons find their way to the floor, it shall be the duty of the Sergeant-at-Arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-Arms shall clear the floor of the House Chamber of all persons not entitled to the floor, and shall announce in a loud and distinct voice: "All persons not entitled to the floor of the House under the rules thereof will now vacate the House Chamber." He shall then compel each and every person then in the House Chamber, who is not entitled to remain therein, to vacate.

*Debate.*

Rule 11. When a member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker of the House as "Mr. Speaker," but shall not proceed until recognized by the Speaker.

Rule 12. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call the offender to order; and the member called to order shall immediately sit down unless permitted to explain, and the House, if appealed to, shall decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty

to proceed; if against him, and the case requires it, he shall be liable to the censure of the House.

Rule 13. When two or more members rise at once, the Speaker shall name the member who is first to speak.

Rule 14. No member shall speak more than twice on the same question without leave of the House, and he shall not speak more than once until every member of the House choosing to speak has spoken. No member shall be allowed to speak longer than one hour in the aggregate.

Rule 15. While the Speaker is putting any question or addressing the House, no one shall walk about the House, or leave; neither, in such case, nor when a member is speaking, shall any one talk or pass between the chair and the member who is speaking.

Rule 16. No member shall in debate name another member.

*Undebatable Motions.*

Rule 17. Motions to proceed or dispense with the orders of the day, to dispense with any rule of the House, or take up business out of its regular order, to commit or recommit, except with instruction, shall be propounded without debate.

Rule 18. No explanation of any vote shall be permitted pending the call of the yeas and nays on an undebated motion.

*Withdrawal of Motions.*

Rule 19. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed in the possession of the House, but may be withdrawn by consent of the House at any time before a decision or amendment.

*Motions.*

Rule 20. After a motion is made and seconded it shall be stated by the Speaker, or, being in writing, shall be handed to the chair and read aloud by the Clerk before debate.

Rule 21. Every motion shall be reduced to writing if the Speaker or any member desire it.

*Order of Motions in Debate.*

Rule 22. When a question is under debate no motion shall be received, but

1. To fix the time to which the House shall adjourn.
2. Adjourn.
3. To lie on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit or postpone indefinitely being decided, shall be again allowed on the same day and at the same stage of the bill or proposition.

*Motion to Adjourn.*

Rule 23. A motion to adjourn shall always be in order except during roll call or pending a motion to fix the time to which the House shall adjourn, and shall be decided without debate.

*Previous Question.*

Rule 24. The previous question being moved and seconded, the question from the chair shall be: "Shall the main question be now put?" If the nays prevail the main question shall not then be put. The effect of the previous question shall be to bring the House to a direct vote on amendments proposed by a committee, if any; then on other pending amendments (and all amendments which have been read for information of the House by the Clerk shall be regarded as pending amendments); and then upon the main question.

The ordering of the previous question shall put an end to all debate, except as follows: Before the vote on an amendment, the proposer of the amendment shall have five minutes, and then the proposer of the measure sought to be amended shall have five minutes; and before the vote upon the main question, the opponents of the measure shall have ten minutes and then the proposer of the measure shall have ten minutes to close the debate. When a measure or an amendment has been proposed by a committee, then the time given to the proposer shall be at the disposal of the chairman of the committee.

*Divisions on Questions.*

Rule 25. Any member may call for a division on the question when the sense will admit it.

*Commitment of Motions.*

Rule 26. Motions and reports may be committed at the pleasure of the House. (See Rule 17, ante.)

*Amendments.*

Rule 27. No motions or propositions on a subject different from that under consideration shall be admitted under color of amendment.

*Elections.*

Rule 28. In all cases of elections there shall be a previous nomination before the House.

*Petitions, Memorials, Etc.*

Rule 29. Petitions, memorials and other papers, addressed to the House, may be presented by any member in his place; and in such case he shall briefly state the contents of said petitions, memorials and other papers, and which may be received, read and referred on the same day, by agreement of the House.

*Calls of Yeas and Nays.*

Rule 30. Upon a call of the yeas and nays on any question, the names of the members shall be called alphabetically, which shall be made at any time when a division or a count may be had, and upon the completion of any roll call the Speaker shall, upon the request of any member, order the Clerk to call the absentees once.

*Call of the House.*

Rule 31. On a call of the House the door shall not be shut against a member until his name is called twice, and then absentees shall be noted by the Clerk and fined one dollar, unless excused by the House.

*Voting.*

Rule 32. No member shall vote on any question in which he is directly or indirectly interested, or on any question unless he was within the bar of the House before the result was announced.

Rule 33. Every member in the House when a question is put, or present before the result is announced, shall vote unless excused by the House; and all motions to excuse a member from voting shall be made before the House divides or before the call of the yeas and nays is commenced; and the motion or question to excuse a member shall be decided without debate, and in no event shall any member be excused from voting on a motion to excuse another member from voting. But this rule shall not apply to the Speaker, whose name shall not be called except on his own request, and then only at the end of the roll call, and before the result is announced; but in all cases of a tie the Speaker shall vote.

Rule 34. Before a vote shall be counted, the member casting it shall be either at his seat or visibly approaching it.

*Order of Business.*

Rule 35. The order of business of each day shall be as follows:

1. The reading of the Journal of the preceding day and the correction of any errors that may be found to exist therein.

2. Petitions.

3. Motions and resolutions, limited to one hour.

4. Reports of special and standing committees in the order as given in Rule 41.

5. The orders of the day, which shall be called at 12 o'clock each day.

6. Any business which did not belong to the orders of the day and which remains unfinished upon the adjournment of the House, or upon the call of the standing orders of the day, shall be the first business in order each day, upon the convening of the House. Any business which belongs to the standing orders of the day, which remains unfinished upon the adjournment of the House, shall be the first business when the orders of the day are resumed.

*Introduction of Bills.*

Rule 36. Subdivision 1. On each day after the first order above named in Rule 35, there shall be a call of the counties and representative districts for the introduction of bills and joint resolutions, which shall be privileged and take precedence of all other business of the House; provided, that the orders of the day be called for precisely at 12 o'clock on each day; and, provided further, that upon the call of counties on the days provided for the presentation of bills, in the event every county shall not have been called, the Clerk shall, on the next day, commence the call were he left off at the last call.

On the call of each county and representative district, the member from said county shall rise from his seat and

addressing the chair send to the Clerk's desk any bill or bills or joint resolution which he wishes to introduce, with the title thereof endorsed thereon in a plain and legible hand, which bill or joint resolution shall be read by its title, and thereon the Speaker shall order the same to be printed and refer the same to its appropriate committee for consideration and report, and from such order of reference by the Speaker the member introducing the bill may appeal to the House if he so desires. All bills shall be printed and distributed in the order in which they are introduced, and the usual number of copies of the same shall be printed for the use of the members of the Senate and House.

Subdivision 2. Upon the report of a bill or joint resolution by any committee, the Clerk shall report the same in full, which shall be considered the first reading of the bill or joint resolution, and shall be so entered upon the Journal. Any standing or special committee may originate a bill and introduce the same, when it shall have its first reading and be ordered printed.

Subdivision 3. The Clerk shall keep a register of all bills introduced in the House, or transmitted for concurrence from the Senate, in which shall be recorded, under appropriate heads, the progress of such bills from the date of their introduction to the time of their transmission, if House bills, to the Governor, or if Senate bills, their return to the Senate.

Subdivision 4. When a bill has had its first reading it shall be placed by the Clerk in a calendar to be kept by him, and said calendar shall be separate from the bills in the orders of the day. Each day when the House enters into the consideration of the orders of the day, the Clerk shall take up the calendar and give all bills therein their second reading, except such as have been placed there upon that day.

Rule 37. When a bill has been read a second time it shall be placed in the orders of the day or recommitted, and when next reached in the House, it shall be ready for amendment, recommitment or debate, or to be read a third time

and placed upon its passage. A bill may be recommitted at any time before its passage.

Rule 38. When a bill shall have been referred to any committee, it shall be the duty of the chairman of such committee to submit the bill to the consideration of his committee, and such committee shall make such amendments to said bill as it may deem proper, and report said bill to the House with such amendments. A majority of the members of a committee shall be present before a bill may be considered. No bill shall be considered or a report on same determined upon, except when the committee is in session. A committee in reporting a bill to the House shall make its report in writing, and such report shall be signed by a majority of such committee, but after said majority report has been made the minority may make its report, which shall also be in writing and signed by the members of the committee making such report. Bills shall not be engrossed except by order of the House, and the style of every bill shall be: "Be it enacted by the General Assembly of the Commonwealth of Kentucky." Provided, however, that no committee shall hold or refuse to report a bill for an unreasonable time, and if same shall not be reported in a reasonable time, the said bill may be called up by any member of the House and be considered in the same manner it would have been considered if it had been reported without expression by such committee. The House shall at all times be the judge of what shall constitute a reasonable or unreasonable length of time under this provision.

Rule 39. When a bill passes, it shall be certified by the Clerk, who, at the foot thereof, shall note the day on which it passed.

*Suspension of the Rules.*

Rule 40. The standing rules of the House and the regular order of business shall not be suspended, amended or interrupted unless by a vote of a majority of the members present and voting.

*Standing Committees.*

Rule 41. The following shall be and constitute the standing committees of the House of Representatives, and each committee shall be composed of nine members, except the Committee on Rules, which shall consist of fourteen members besides the Speaker; the Committee on Revenue and Taxation, which shall be composed of twelve members; the committee on Banks and Banking, which shall be composed of eleven members; the Committee on Agriculture, which shall be composed of ten members; the Committee on Immigration and Labor, Public Roads and Highways, which shall be composed of ten members, and the Committee on Enrollments, which shall be composed of five members:

Agriculture.
Alcoholic Liquor Traffic.
Appropriations.
Assignment of Committee Rooms.
Banks and Banking.
Compensation for Industrial Injuries.
Constitutional Amendments.
Corporate Institutions.
Commerce and Manufacturing.
Claims.
Classification of Cities and Towns.
Court of Appeals.
Circuit Courts.
County and City Courts.
Codes of Practice.
Criminal Law.
Charitable Institutions.
Cities of the Fourth Class.
Cities of the Fifth and Sixth Class.
Confederate Home.
Executive Affairs.
Education No. 1.
Education No. 2.

Enrollment.
Federal Relations.
Fish and Game.
Forestry.
Geological Survey.
Internal Improvements.
Immigration and Labor.
Insurance, Fire and Marine.
Insurance, Life and Accident.
Interurban and City Railways.
Judiciary.
Kentucky Statutes.
Juvenile Courts and Children's Home.
Military Affairs.
Mines and Mining.
Municipalities.
Normal Schools.
Printing.
Public Library.
Public Offices.
Public Health.
Public Roads and Highways
Public Ditches and Fences
Public Bridges.
Public Utilities.
Public Warehouses and Granaries.
Public Monuments and Historical Records.
Pure Food.
Racing Commission.
Railroads.
Revenue and Taxation.
Retrenchment and Reform.
Redistricting, Legislative.
Redistricting, Congressional.
Redistricting, Judicial.
State Capitol.

State Fair.
Suffrage and Elections.
Sinking Fund.
State Prison and House of Reform
State University.
Tuberculosis.
Ways and Means.
Rules.

And it shall not be competent for the House, by vote or otherwise, to add any one to the membership of either of said committees; but a vacancy from any cause may be filled by appointment by the Speaker.

Rule 42. The Committee on Enrollment may report at any time when not excluded by a privileged motion; provided, that when any committee shall have occupied the morning hour on two days it shall not be in order for such committee to report further until the other committees are called. And provided, also, that no bill shall be reported by any committee which was introduced after said committee began to report.

*Committee of the Whole.*

Rule 43. It shall be the standing order of the day throughout the session for the House to resolve itself into a Committee of the Whole House on the State of the Commonwealth.

Rule 44. When a bill or other matter is committed to a committee of the Whole House the question of going into the Committee of the Whole shall be first in the order of the day.

Rule 45. In Committee of the Whole House, bills shall be read and debated by sections, leaving the preamble and the title to be the last considered.

Rule 46. All amendments made to an original House bill or resolution in Committee of the Whole House shall be incorporated in the original and so reported.

Rule 47. All questions, whether in the committee or in the House, shall be disposed of in the order in which they are moved, except that in filling blanks the largest sum and the most remote day shall be put first.

Rule 48. The rules of the House shall be observed in committee when applicable, except the rule limiting the time of speaking.

*Fines.*

Rule 49. All fines imposed on absentees shall be collected by the Sergeant-at-Arms and covered into the Treasury.

*Clerk's Duty.*

Rule 50. The Clerk or Assistant Clerk shall report all bills or resolutions to the Senate unless otherwise ordered by the House.

Rule 51. No member or other person shall remain by the Clerk's desk when the yeas and nays are being called.

Rule 52. All bills and joint resolutions originating in the Senate and reported to this House as passed therein, shall be read by their titles when the Speaker shall refer them to appropriate committees.

*Duties of the Enrolling Clerk.*

Rule 53. The Enrolling Clerk of the House shall each day call upon the Clerk and when not engaged in enrolling bills, shall perform such duties as he may direct, take charge of all House bills as soon as they are reported back to the House and ready to be enrolled; keep an accurate account of and carefully preserve all of them; cause them without delay to be plainly and legibly enrolled without blots, erasures or interlineations, and present the same when enrolled to the Committee on Enrollments, who shall immediately report them to the House for comparison and the signature of the Speaker, and when signed by the Speaker of the House, the

Enrolling Clerk shall deliver them at once to the Senate or such committee as may be authorized to receive them in that body. All original House bills shall be returned by the Enrolling Clerk to the Clerk of the House at the time of the signing of the enrolled bills, and the Clerk of the House shall carefully preserve them.

*Doorkeeper and Sergeant-at-Arms.*

Rule 54. The Chief Clerk or his Assistant, the Doorkeeper, the Sergeant-at-Arms, and all employes under them shall be in the House thirty minutes before the hour for the House to convene, and five minutes before the hour for the meeting of the House each day, the Doorkeeper and Sergeant-at-Arms shall see that the floor of the House is cleared of all persons, except those privileged to remain. (See Rule 10.) And the Sergeant-at-Arms is empowered to deputize as many assistant Sergeant-at-Arms as he may deem necessary to carry out the order of the Speaker under Rule 4 of these rules.

*Motion to Reconsider.*

Rule 55. A motion to reconsider any action of the House shall be in order if made in open session for a period of three days, Sundays included, from the time said vote was taken; but such motion shall not be in order after action has been had by the House in consequence of the decision proposed to be reconsidered, or after it has been sent to the Senate or Governor.

*General Provisions.*

Rule 56. On all questions not provided for in the foregoing rules, the House shall be governed by parliamentary law or usage, provided, the author of any measure shall have five minutes' time in which to explain upon a motion to lay on the table.

Rule 57. Whenever any committee shall report to the House a bill with the expression of opinion that it should not pass, said bill shall not be entitled to a reading unless it is ordered by a vote of the House; and upon the question whether or not said bill shall be read, the report of the committee to the contrary notwithstanding, no debate shall be allowed, except that the originator of the bill, or any one indicated by him, shall have ten minutes in which to explain the bill; and any one member of the committee who favors the report of the committee may have a like time in which to explain the action of the committee, and then if said bill shall be ordered to a reading, it shall be read the first time in full and recommitted or placed in the calendar.

*Appropriations.*

Rule 58. No bill or resolution appropriating money shall come up for final action in the House until it has been referred to and reported upon by the Committee on Appropriations.

Rule 59. During the last fifteen days of the session the Committee on Rules shall have the power at any time to call from the orders of the day any bill or resolution, and propose the same to the House for consideration, and should the House decide by vote to consider it, it shall be submitted for passage. The committee shall be authorized to call from other committees any bill or resolution in their hands and have them advanced to the reading to which the bills may be entitled. Provided, however, that for the first twelve days thereof the said committee shall, in its discretion, cause to be posted one day prior thereto a list of bills and resolutions which are to be called, but said committee may withdraw from said list any bills or resolutions so posted, but shall not be permitted to substitute any other bill or resolution therefor.

Rule 60. If any bill, motion or resolution has been, by vote, carried or lost, and a motion is made to reconsider the vote by which the bill, motion or resolution was carried or lost, and said motion to reconsider is laid upon the table,

then no further motion shall be entertained relative to said bill, motion or resolution, unless by the unanimous consent of the House.

Rule 61. All pairs announced in the House shall be entered on the Journal.

Rule 62. When the roll is being called on any proposition and the hour of adjournment arrives, the time for adjournment shall be extended until said roll call has been completed and the result announced.

Rule 63. Five hundred copies of these rules shall be printed immediately for the use of the General Assembly.

JOSEPH F. BOSWORTH,
*Speaker and ex officio Chairman.*
R. O. HUNTSMAN,
JOSEPH LAZARUS,
HOMER C. MCLELLEN,
R. G. BRYSON,
R. LEE STEWART,
J. S. CRUSE,
V. M. WILLIAMSON,
HEBRON LAWRENCE,
S. G. SMITH,
DANIEL VOSE,
I. S. MASON,
J. H. THOMPSON,
HARRY J. MEYERS,
GEORGE C. WAGGONER,

Mr. Murphy offered the following amendment, amendment No. 1, to the report of the Committee on Rules, to wit:

Amend section 59 of the Rules by striking out, in line one thereof, the word "twenty" and inserting in lieu thereof the word "ten," and by striking out, in line ten thereof, the word "twelve" and insert in lieu thereof the word "eight."

Mr. Beckham offered the following amendment, amendment No. 2, to the report of the Committee on Rules, to wit:

Amend section 59 of the Rules by striking out, in line one thereof, the word "twenty" and inserting in lieu thereof the word "fifteen."

Mr. Huntsman, ranking member and acting chairman of the Committee on Rules, announced that he would accept the amendment offered by Mr. Beckham.

Thereupon Mr. Murphy asked unanimous consent to withdraw his amendment (amendment No. 1), which consent was given and said amendment was accordingly withdrawn.

Then the question was upon the adoption of the amendment by Mr. Beckham (amendment No. 2), and said amendment was adopted.

Mr. Meyers moved that the rules as amended by the amendment of the gentleman from Shelby county be adopted and the question being taken thereon it was decided in the affirmative and said rules as amended were adopted as the rules of the House for the 1920 session of the General Assembly.

Mr. Lazarus moved that 500 copies of the rules, together with the standing committees, be printed in booklet form.

The Speaker asked that the motion be reduced to writing, which was done, and then said motion was, by the Speaker, referred to the Committee on Appropriations.

Said motion is as follows, to wit:

Motion that 500 copies of the rules of the House be printed, together with the standing committees of the House.

After a while said committee reported by its chairman, Mr. Stults, with the expression of opinion that said motion ought to pass.

Then the question was taken on the adoption of said motion and a roll call being had thereupon resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | T. P. Oliver |
| Sidney Alfrey | D. J. Howard | T. C. Pryse |
| L. H. Ballard | A. R. Hudson | S. C. Ray |
| H. H. Barnes | Adam W. Huff | B. F. Reynolds |
| W. T. Beckham | Robt. Humphreys | J. L. Richardson |
| S. M. Bennett | R. O. Huntsman | Sherman Robbins |
| J. M. Billiter | J. W. Johnson | Lee Rogers |
| Rodney G. Bryson | Henry Kaufman | B. A. Roth |
| Roy J. Cain | Frank Kennard | Dr. Lewis Ryans |
| W. T. Carner | W. L. Kimbrough | Chas. R. Scott |
| J. F. Carr | J. M. Knott | W. P. Scott |
| T. L. Caudell | Dr. S. D. Laughlin | E. E. Shannon |
| Charles M. Ciarlo | Hebron Lawrence | Dr. B. F. Shields |
| B. L. Cox | Joseph Lazarus | H. G. Skiles |
| J. S. Cruse | Rev. J. A. Lee | S. G. Smith |
| P. A. Day | Elmer Lusby | R. Lee Stewart |
| H. N. Dean | R. C. Marcum | Wm. A. Stewart |
| J. B. Denues | I. S. Mason | John T. E. Stites |
| H. C. Duffy | A. J. McCandless | Frank L. Strange |
| J. M. Foster | R. L. McFerron | T. R. Stults |
| B. J. Goehringer | Homer C. McLellen | John W. Swope |
| J. W. Geveden | Harry J. Meyers | J. Mack Thompson |
| Dr. W. L. Gossett | Claude D. Minor | J. H. Thompson |
| A. L. Hamilton | Mack J. Morgan | Dr. D. J. Travis |
| A. F. Hanberry | John T. Murphy | C. B. Truesdell |
| E. C. Hardin | Estill W. Neel | John L. Trumbo |
| Dr. W. L. Haynes | Chas. A. Nelson | J. Wood Vance |

| | | |
|---|---|---|
| Fred C. VanHoose | J. S. Webb | R. E. Wilborn |
| Daniel Vose | Dr. T. R. Welch | Dr. W. S. Yazell |
| Geo. C. Waggoner | Gladstone Wesley | |
| A. M. Wash | W. G. Wheeler | —91 |

Said motion was adopted.

Mr. Hudson moved that today's session be extended indefinitely.

Said motion was adopted.

Upon call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed, and referred to committees as indicated, to wit:

By Mr. Huntsman:

H. B. 123. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes, volume 3, Supplement Carroll's revised edition, 1916, relating to the classification of cities and towns.

To Committee on Classification of Cities and Towns.

By Mr. Cox:

H. B. 124. An act to provide for the American creed to be read in schools.

To Committee on Military Affairs.

By Mr. Vose:

H. B. 125. An act to amend and re-enact an act and amendments thereto entitled "An act to authorize the ap-

pointment of official stenographic reporters in counties containing a population of 75,000 or over," which became a law July 13, 1893, the same being sections 4637, 4638, 4639, 4640, 4641, 4642, 4643, 4644, 4645 of chapter 121 of Carroll's Kentucky Statutes by repealing said acts and amendments thereto and enacting a substitute therefor.

To the Committee on Municipalities.

My Mr. Neel:

H. B. 126. An act to abolish and re-creating county board of education, prescribing its duties, fixing its tenure and compensation, and providing for the election or appointment of a county superintendent, fixing his qualification and compensation and tenure of office and prescribing his duties, fixing his bond and providing for a minimum tax of 30c on the one hundred dollars' worth of taxable property and a capitation tax of one dollar for school purposes, and providing for the appointment of district trustees, fixing their duties and repealing subsections 3, 4, 6, 15 and 16 of section 4426a, and all laws and parts of laws in conflict with this act are hereby repealed.

To Committee on Revenue and Taxation.

By Mr. Ciarlo:

H. B. 127. An act creating a state highway commission, providing for the appointment of the members of the State Highway Commission, for the appointment of a director and employes of the State Highway Commission, providing for the division of the work of the commission for the establishment of a system of state highways, for the construction, maintenance, repair and control of public highways, for the creation of a state highway fund, providing for the violation of the provisions of said act, providing for coopera-

tion with the Federal government in the construction of rural post roads, repealing an act entitled "An act to create and establish a department of public roads and creating the office of State Commissioner of Public Roads and prescribing the duties and compensation therefor, and also creating a fund in the treasury of the state to be known as the state road fund and providing and regulating the disbursement thereof," (approved March 11, 1912), and repealing all other laws and parts of laws in conflict therewith, and declaring an emergency.

To the Committee on Public Roads and Highways.

By Mr. Swope:

H. B. 128. An act to regulate the transportation of nitroglycerine, dynamite or other high explosives over the highways of this Commonwealth, and providing penalties for violations thereof.

To Committee on Criminal Law.

By same:

H. B. 129. An act relating to revenue and taxation.

To Committee on Revenue and Taxation.

By Mr. Smith:

H. B. 130. An act to amend and re-enact section 382, Kentucky Statutes.

To Committee on Revenue and Taxation.

By Mr. Smith:

H. B. 131. An act to amend section 4238, Kentucky Statutes, relative to tax on law process.

To Committee on Kentucky Statutes.

By Mr. Humphreys:

H. B. 132. An act to amend chapter 121 of the Acts of 1918 approved March 28, 1918, entitled, "An act to amend chapter 22B, section 415B, subsections 6 and 15, of Carroll's Statutes, 1915 edition, entitled, 'An act to repeal and re-enact an act entitled, an act to repeal and re-enact an act entitled, 'An act granting pensions to indigent and disabled Confederate soldiers,' " which became a law March 18, 1914.

To Committee on Confederate Home.

By Mr. Webb:

H. B. 133. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes, volume 3, Supplement Carroll's revised edition, 1916, relating to the classification of cities and towns.

To Committee on Classification of Cities and Towns.

By Mr. McLellen:

H. B. 134. An act entitled, "An act regulating the storage period and sale of food in the Commonwealth of Kentucky."

To Committee on Pure Food.

By Mr. Hudson:

H. B. 135. An act to protect the health, morals and welfare of women and minors employed in industry by estab-

lishing a minimum wage commission and providing for the determination of minimum wages for women and minors.

To Committee on Immigration and Labor.

By Mr. Goehringer:

H. B. 136. An act amending and re-enacting section 107 of an act entitled "An act providing for the creation and regulation of corporations," being chapter 171 of the Acts of 1893, which became a law on April 5th, 1893, without the signature of the Governor, and which section is now section 644 of the Kentucky Statutes, Carroll's edition of 1915."

To the Committee on Insurance, Life and Accident.

By Mr. Roth:

H. B. 137. An act to amend and re-enact Kentucky Statutes, section 2946a-4, 1918 supplement to Carroll's edition, 1915, relating to the salary and expenses of the office of court matron of the police court in cities of the first class.

To Committee on Municipalities.

By Mr. Roth:

H. B. 138. An act to increase the tax which cities of the first class are authorized to levy for the support of a municipal university, and for that purpose to amend and re-enact section 1 of chapter 52 of the Acts of the General Assembly of 1916, which was approved by the Governor on March 23, 1916, being paragraph 1 of section 2948a of the Kentucky Statutes, Carroll's 1918 edition.

To Committee on Municipalities.

By Mr. Lazarus:

H. B. 139. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violation of this provision.

To Committee on Kentucky Statutes.

By Mr. VanHoose:

H. B. 140. An act to amend and re-enact section 1 of chapter 130 of the Acts of the General Assembly of 1918, which was approved March 29th, 1918, relating to the conference of the County Tax Commission.

To Committee on Revenue and Taxation.

By Mr. VanHoose:

H. B. 141. A bill to amend section 224 of the Civil Code, Carroll's 1913 edition, relating to appearance and answer of garnishees.

To Committee on Codes of Practice.

By Mr. Meyers:

H. B. 142. An act to appropriate money to purchase ground to straighten the State line and beautify the approach to the capitol.

To Committee on State Capitol.

By Mr. Stewart (R. L.)

H. B. 143. An act to amend and re-enact section 3513 of Carroll's edition of the Kentucky Statutes.

To Committee on City and County Courts.

By Mr. Hamilton:

H. B. 144. An act to authorize and regulate the practice of chiropractic, to provide for the licensing and examination of chiropractors, to create a State Board of Examination and Registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum, and establish a standard of efficiency, to provide for prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice chiropractic, to provide a penalty for practicing chiropractic without a license as provided by this act, and to repeal all acts and parts of acts in conflict herewith.

To Committee on Kentucky Statutes.

By Mr. Bennett:

H. B. 145. An act to amend an act approved February 26, 1912, entitled, "An act to amend an act approved March 8, 1904, entitled 'An act for the relief of the Court of Appeals, approved Oct. 5, 1900,'" and which is now section 962A, Carroll's Kentucky Statutes, 1915 edition.

To Committee on Court of Appeals.

By Mr. Bennett:

H. B. 146. An act creating the Thirty-seventh Judicial District of Kentucky; fixing the time of holding court there-

of; providing for the appointment of and election of a circuit judge and Commonwealth's attorney thereof, and changing the Twenty-seventh and Thirty-fourth Judicial Districts of Kentucky, so as to provide for said Thirty-seventh Judicial District, and fixing the time of holding the court in each of the said districts affected.

To Committee on Circuit Courts.

By Mr. Barnes:

H. B. 147. An act to amend section 2625 of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll.

To Committee on Kentucky Statutes.

By Mr. Barnes:

H. B. 148. An act to repeal chapter 85a, section 2651a of Carroll's Statutes, entitled, "Merchandise—to regulate sale of in bulk" and to enact a law in lieu thereof; to regulate the sales in bulk of stocks of merchandise or fixtures or stocks and fixtures and to prescribe penalties for the violation thereof.

To Committee on Criminal Law.

By Mr. Holliday:

H. B. 149. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to "Public printing, binding and Stationery," which is now section 3956, Kentucky Statutes, 1915.

To Committee on Public Printing.

By Mr. Trumbo:

H. B. 150. An act to repeal section 3, chapter 130, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the County Board of Education and fixing the minimum salary of teachers.

To Committee on Education No. 2.

By Mr. Skiles:

H. B. 151. An act requiring persons listing property for taxation to show whether the same or any part thereof is located in a graded school district.

To Committee on Education No. 1.

By Mr. Skiles:

H. B. 152. An act appropriating the sum of $5,000 for the purpose of erecting a new monument over the grave of Isaac Shelby in Lincoln county.

To Committee on Appropriations.

By Mr. Haynes:

H. B. 153. An act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio river and its Kentucky tributaries belonging to or controlled by the state of Kentucky, and to regulate the catching of said shells and to have authority to cooperate with the United States government in its propagation of mussels, and imposing penalties for violation of the provisions of this act.

To Committee on Fish and Game.

By Mr. Wash:

H. B. 154. An act to amend section 4649 of chapter 122, Kentucky Statutes, relating to the law against stock running at large.

To Committee on Agriculture.

By Mr. Lawrence:

H. B. 155. An act to abolish the office of Commonwealth attorneys and to consign the duties to the office of county attorney.

To Committee on Retrenchment and Reform.

By Mr. Wesley:

H. B. 156. An act amending and re-enacting section 3542, Kentucky Statutes, 1915, Carroll's edition, granting an appeal from the board of supervisors in cities of the fourth class to the county court of the county in which they are located.

To Committee on Cities of the Fourth Class.

By Mr. Strange:

H. B. 157. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

To Committee on Revenue and Taxation.

By Mr. Mason:

H. B. 158. An act to amend and re-enact section 772A, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

To Committee on Railroads.

By Mr. Mason:

H. B. 159. An act to repeal and re-enact section 2711, subsections a-5 and a-54, chapter 86, Carroll's 1915 edition, Kentucky Statutes, volume 3, being subsections 5 and 54 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled, "An act to provide for the organization, armament, equipment, discipline and government of the militia."

To Committee on Military Affairs.

A message was received from the Senate, by its Assistant Clerk, announcing that the Senate had passed a joint resolution as follows, to wit: "Res. No. 5, of the following title: 'Joint Resolution authorizing and empowering the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives to employ a stenographer.' "

Said resolution was reported to the House by its title and under the rules ordered to lie over one day.

Mr. Bennett was granted an indefinite leave of absence on account of sickness.

The following bills were delivered to chairmen of the various committees to which they had been referred, to wit: House Bills numbered 75, 99, 94, 95, 98, 85, 87, 72, 84, 73, 69, 97, 86, 74, 82, 100, 92, 93, 88, 76, 77, 62, 101, 71, 102, 91, 81, 79, 83, 65, 78, 70, 103, 68, 29, 105, 89, 60, 108, 106, 80, 96, 90, 119, 107, 116, 112, 115, 114 and 110.

Mr. Waggoner moved that the House do now adjourn.

Said motion was adopted.

Thereupon the House at 3:40 p. m. adjourned.

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TUESDAY, JANUARY 20, 1920.

House was called to order at 10 o'clock a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Rev. S. S. Daughtry, pastor of the Presbyterian Church, Frankfort, Kentucky.

A roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | J. B. Denues | W. L. Kimbrough |
| Sidney Alfrey | H. C. Duffy | J. M. Knott |
| L. H. Ballard | J. M. Foster | Dr. S. D. Laughlin |
| H. H. Barnes | Dr. T. H. Gamblin | Hebron Lawrence |
| W. T. Beckham | B. J. Goehringer | Joseph Lazarus |
| J. M. Billiter | J. W. Geveden | Elmer Lusby |
| W. M. Boling | Dr. W. L. Gossett | R. C. Marcum |
| Jo F. Bosworth | A. L. Hamilton | I. S. Mason |
| Rodney G. Bryson | A. F. Hanberry | A. J. McCandless |
| Roy J. Cain | E. C. Hardin | R. L. McFerron |
| W. T. Carner | Dr. W. L. Haynes | Homer C. McLellen |
| J. F. Carr | Talbert Holliday | Harry J. Meyers |
| T. L. Caudel | A. R. Hudson | Claude D. Minor |
| Charles M. Ciarlo | Adam W. Huff | Mack J. Morgan |
| A. S. Cooper | Robt. Humphreys | John T. Murphy |
| B. L. Cox | R. O. Huntsman | Estill W. Neel |
| J. S. Cruse | J. W. Johnson | Chas. A. Nelson |
| P. A. Day | Henry Kaufman | T. P. Oliver |
| H. N. Dean | Frank Kennard | T. C. Pryse |

| | | |
|---|---|---|
| S. C. Ray | H. A. Spillman | Fred C. VanHoose |
| B. F. Reynolds | R. Lee Stewart | Daniel Vose |
| J. L. Richardson | Wm. A. Stewart | Geo. C. Waggoner |
| Sherman Robbins | John T. E. Stites | A. M. Wash |
| Lee Rogers | Frank L. Strange | J. S. Webb |
| B. A. Roth | T. R. Stults | Dr. T. R. Welch |
| Dr. Lewis Ryans | John B. Thomas | Gladstone Wesley |
| Chas. R. Scott | J. Mack Thompson | W. G. Wheeler |
| W. P. Scott | J. H. Thompson | R. E. Wilborn |
| E. E. Shannon | Dr. D. J. Travis | V. M. Williamson |
| Dr. B. F. Shields | C. B. Truesdell | W. N. Winn |
| H. G. Skiles | John L. Trumbo | Dr. W. S. Yazell |
| S. G. Smith | J. Wood Vance | —95 |

On motion of Mr. Lazarus the reading of the Journal for Monday, January 19th, was dispensed with and the Journal was approved.

A message from the Senate was delivered to the House by Senator Antle informing the House that the Senate had passed Senate Res. No. 4, of the following title: "Joint Resolution providing for the inspection of charitable and penal institutions," and asking the concurrence of this body therein.

Said resolution was read at length and ordered to lie over one day.

Mr. Richardson offered a resolution of the following title: "House Res. No. 15. A resolution to purchase certain copies of the Kentucky Statutes and Codes of Practice for the use of the Senate and House of Representatives."

Said resolution was read at length and referred to the Committee on Apprpriations.

Mr. A. L. Hamilton offered House Res. No. 16 of the following title: "An act to amend section 145 of the Constitution."

Said resolution was read at length and ordered to lie over for one day.

Mr. Nelson sent to the Clerk's desk certain memorials in the form of letters, which were referred to the Committee on Appropriations.

Mr. Huntsman introduced a resolution of the following title: "House Res. No. 17, providing for an investigation of the Feeble-Minded Institute at Frankfort, Kentucky."

Said resolution was read at length and is as follows, to wit:

H. Res. 17. Appointing a committee to investigate the Kentucky Children's Home Society.

Whereas, it appears from preliminary investigations, which have been made by members of the General Assembly, acting as individuals, that many children in full possession of all their mental faculties have been transferred from the Kentucky Children's Home Society at Louisville, Ky., to the Feeble-Minded Institute at Frankfort, where they have been placed in constant contact and association with other children who actually are feeble-minded; and,

Whereas, such associations of intelligent children with feeble-minded companions, many of whom are addicted to vicious practices, is inevitably harmful and certain to augment any minor tendency toward backwardness or incorrigibility which may have been evidenced by such children at the institution to which they were first committed; and,

Whereas, it further appears that conditions of feeding and housing at the Feeble-Minded Institute are not such as to promote the mental and physical welfare of the inmates, whether of sound or unsound mind; Therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That the Speaker of the House of Representatives and the President of the Senate are hereby empowered and directed to appoint a committee to be composed of seven representatives and five Senators, which shall make a thorough investigation of the apparent practice of the Kentucky Children's Home Society of committing intelligent children to an institution for the mentally unsound, and of all conditions existing at the Feeble-Minded Institute bearing upon the mental and physical well being of its inmates. The committee hereby crated is hereby empowered to compel attendance of witnesses, require the production of records, and to administer oaths to witnesses testifying during the course of its investigation. The committee is authorized to employ a stenographer who shall make a record of its proceedings, and to incur such expense for stationery and transportation as may be reasonable and necessary.

Mr. Huntsman moved to suspend the rules and to proceed to the immediate consideration of said resolution.

Said motion was adopted.

Then the question was taken on the adoption of said resolution and the roll call thereon resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Rodney G. Bryson | B. L. Cox |
| Sidney Alfrey | Roy J. Cain | J. S. Cruse |
| L. H. Ballard | W. T. Carner | P. A. Day |
| H. H. Barnes | J. F. Carr | H. N. Dean |
| W. T. Beckham | T. L. Caudel | J. B. Denues |
| J. M. Billiter | Charles M. Ciarlo | J. M. Foster |
| W. M. Boling | A. S. Cooper | Dr. T. H. Gamblin |

B. J. Goehringer
J. W. Geveden
Dr. W. L. Gossett
A L. Hamilton
A. F. Hanberry
E. C. Hardin
Dr. W. L. Haynes
Talbert Holliday
D. J. Howard
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFerron
Homer C. McLellen
Harry J. Meyers
Claude D. Minor
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stults
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
V. M. Williamson
W. N. Winn
Dr. W. S. Yazell

—94

There voted in the negative—

H. C. Duffy

—1

So the resolution was adopted.

Ordered, that said resolution be reported to the Senate by the Clerk.

After a time the Clerk reported that he had performed that duty.

The Committee on Appropriations, by its chairman, Mr. Stults, to whom House Res. No. 15 had been referred, reported same with the expression of opinion that said resolution ought to pass.

On motion of Mr. Hardin the privileges of the floor were extended to former Governor Black.

He was escorted to the Speaker's stand and upon invitation of the House delivered a brief address.

Mr. McLellen moved the adoption of House Resolution No. 15, entitled "A resolution to purchase certain copies of Kentucky Statutes and Codes of Practice for the use of the Senate and House of Representatives."

Said resolution reads as follows:

Resolution to purchase certain Statutes and Codes for the benefit of the members of the General Assembly.

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

That whereas it appears that there are in the office of the Librarian eight incomplete sets of the Kentucky Statutes, each of said sets consisting of the first two volumes of said Statutes up to and including Carroll's Statutes of 1915, and,

Whereas, the third volume of said Statutes of Carroll's Statutes of 1918 have not been purchased and do not accompany said eight sets of incomplete Statutes, and,

Whereas, there are in the office of the Librarian no copies of the 1919 Codes of Practice, and,

Whereas, the members of the Senate and House of Representatives are in great and imperative need of complete sets of said Kentucky Statutes and latest edition of the Codes of Practice, therefore,

Be it resolved: First, that the State Librarian be, and is, hereby authorized and instructed to purchase from the publishers for the use of the General Assembly eight copies of the third volume of the Kentucky Statutes, known as Carroll's edition, 1918, to complete the eight sets of Statutes now in the office of the State Librarian, and in addition thereto he is authorized and directed to purchase from the publishers, seventeen complete sets of the said Kentucky Statutes and also ten copies of the 1919 edition of the Codes of Practice; the above described sets of Statutes and Codes to be so purchased for the use of the Senate and House of Representatives as follows: when said eight incomplete sets of said Statutes are made whole and said seventeen additional full sets of Statutes are so purchased and also said ten Codes of Practice above referred to are also purchased, then ten copies of said Statutes shall be for the use of the members of the Senate and fifteen copies thereof for the use of the members of the House of Representatives, and five Codes for the use of the members of the House of Representatives, all of said books to be the property of the Commonwealth of Kentucky.

Second: A sum sufficient to pay for the purchase of the aforesaid copies of the said Kentucky Statutes and Codes of Practice is hereby appropriated for that purpose out of any funds in the State Treasury not otherwise appropriated.

Third: An emergency is hereby declared to exist and this resolution shall become effective upon its passage and approval.

A roll call on the adoption of said resolution resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | H. H. Barnes | W. M. Boling |
| Sidney Alfrey | W. T. Beckham | Rodney G. Bryson |
| L. H. Ballard | J. M. Billiter | Roy J. Cain |

| | | |
|---|---|---|
| W. T. Carner | Frank Kennard | S. G. Smith |
| J. F. Carr | W. L. Kimbrough | R. Lee Stewart |
| T. L. Caudel | J. M. Knott | Wm. A. Stewart |
| Charles M. Ciarlo | Dr. S. D. Laughlin | John T. E. Stites |
| A. S. Cooper | Hebron Lawrence | Frank L. Strange |
| B. L. Cox | Joseph Lazarus | T. R. Stults |
| J. S. Cruse | Elmer Lusby | John B. Thomas |
| P. A. Day | I. S. Mason | J. Mack Thompson |
| H. N. Dean | A. J. McCandless | J. H. Thompson |
| J. B. Denues | R. L. McFerron | Dr. D. J. Travis |
| H. C. Duffy | Homer C. McLellen | C. B. Truesdell |
| J. M. Foster | Harry J. Meyers | John L. Trumbo |
| Dr. T. H. Gamblin | Mack J. Morgan | J. Wood Vance |
| B. J. Goehringer | Estill W. Neel | Fred C. VanHoose |
| J. W. Geveden | Chas. A. Nelson | Daniel Vose |
| Dr. W. L. Gossett | T. C. Pryse | Geo. C. Waggoner |
| A. L. Hamilton | S. C. Ray | A. M. Wash |
| A. F. Hanberry | B. F. Reynolds | J. S. Webb |
| E. C. Hardin | J. L. Richardson | Dr. T. R. Welch |
| Dr. W. L. Haynes | Sherman Robbins | Gladstone Wesley |
| Talbert Holliday | Lee Rogers | W. G. Wheeler |
| D. J. Howard | B. A. Roth | R. E. Wilborn |
| A. R. Hudson | Dr. Lewis Ryans | V. M. Williamson |
| Adam W. Huff | Chas. R. Scott | W. N. Winn |
| Robt. Humphreys | W. P. Scott | Dr. W. S. Yazell |
| R. O. Huntsman | E. E. Shannon | |
| J. W. Johnson | Dr. B. F. Shields | |
| Henry Kaufman | H. G. Skiles | —90 |

There voted in the negative—

Claude D. Minor —1

So the resolution was adopted.

Ordered, that said resolution be reported to the Senate with the request for the concurrence therein of that body.

Upon a call of the counties and representative districts for the introduction of bills the following bills were introduced, ordered to be printed, and referred to the committees indicated.

By Mr. Huntsman:

H. B. 160. An act to amend section 1777 of the Kentucky Statutes, Carroll's 1915 edition, by eliminating from the last sentence in said section, after the ward "during," the words: "the year or years following, enough to make up such deficit;" and inserting in lieu thereof the following words: "the year or years preceding, or year or years following, enough to make up such deficit;" and re-enact the same.

To Committee on Court of Appeals.

By Mr. Geveden:

H. B. 161. An act to amend and re-enact section 21, chapter 112, and repeal section 24, chapter 112, Acts of 1918, relating to dogs and live stock.

To Committee on Agriculture.

By Mr. Geveden:

H. B. 162. An act to amend and re-enact section 1938a-5, Kentucky Statutes, Carroll's edition, 1918, relating to game.

To Committee on Fish and Game.

By Mr. Cain:

H. B. 163. An act to provide for teaching the art of debating in the public and high schools of the Commonwealth and to require teachers to be examined on that subject.

To Committee on Education No. 2.

By Mr. Cruse:

H. B. 164. An act to amend and re-enact subsections 3, 4, 17 and 21 of section 331e of the Kentucky Statutes, being also sections 3, 4, 17 and 21 of an act of the General Assembly of Kentucky, approved March 19, 1908, entitled: "An act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define those terms and fixing and defining the powers of the several county courts within the Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised." (Said section No. 3 having been heretofore amended by an act of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1910, being chapter 77 of the Acts of 1910.)

To Committee on Juvenile Courts and Children's Home.

By Mr. Humphreys:

H. B. 165. An act entitled, an act to amend sections 1938A-2 and 1938A-4 of Kentucky Statutes, Carroll's edition, volume 3, 1918, relating to "game and birds."

To Committee on Fish and Game.

By Mr. Humphreys:

H. B. 166. An act entitled an act to repeal an act entitled, "An act to promote and protect live stock industry in Kentucky," approved March 28, 1918, in so far as same amends and repeals an act entitled, "An act to promote the sheep industry and providing a tax on dogs," approved

March 1, 1906, and to re-enact in lieu thereof sections 64, 65, 66 and 68a, subsections 1, 2, 3, 4, 6 and 7 of Kentucky Statutes, Carroll's edition, 1915, approved March 1, 1906.

To Committee on Revenue and Taxation.

By Mr. Nelson:

H. B. 167. An act relating to penitentiaries, abolishing the offices of Assistant Deputy Wardens.

To Committee on State Prisons and Houses of Reform.

By Mr. Nelson:

H. B. 168. An act placing a bounty upon hawks and owls, fixing the amount thereof and directing the method of payment therefor.

To Committee on Agriculture.

By Mr. Nelson:

H. B. 169. An act repealing section 1159 of Carroll's Kentucky Statutes, 1915 edition, relating to punishments for robbery and burglary, and the having in possession of tools and implements used by burglars, and re-enacting the same with certain modifications thereof.

To Committee on Criminal Law.

By Mr. Nelson:

H. B. 170. An act repealing section No. 1938a-5 of the 1918 edition of Carroll's Kentucky Statutes relating to the catching and killing of rabbits and re-enacting the same, with certain modifications thereof.

To Committee on Fish and Game.

By Mr. Huff:

H. B. 171, An act to amend sections 4 and 15 of chapter 112 of the Acts of 1918, relating to the licensing of dogs.

To Committee on Agriculture.

By Mr. McLellen:

H. B. 172. An act to amend subsection 9 of section 331e of chapter 16 of the Kentucky Statutes, which was an act of February 24th, 1894, pertaining to children destitute or maltreated.

To Committee on Juvenile Courts and Children's Home.

By Mr. McLellen:

H. B. 173. An act pertaining to the adoption of children and the powers of societies and institutions engaged in child welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others.

To Committee on Juvenile Courts and Children's Home.

By Mr. Roth:

H. B. 174. An act to amend section 493 of the Civil Code of Practice.

To Committee on Codes of Practice

By Mr. Lazarus·

H. B. 175. An act to amend and re-enact sections 4, 5, 7, 11 and 13. Be amended by repealing and inserting such words that such section, as amended and re-enacted, shall read as follows.

To Committee on Public Health

By Mr. Lazarus:

H. B. 176. An act to amend section 63 of the Kentucky Statutes, Carroll's edition, 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending and re-enacting sections 2047 and 2053 of said statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board.

To Committee on Public Health

By Mr. Goehringer:

H. B. 177. An act to amend and re-enact section 29 of chapter 27 of the Acts of the General Assembly of 1916, which is an act to regulate and control fraternal benefit societies.

To Committee on Insurance, Life and Accident.

By Mr. Goehringer:

H. B. 178. An act to amend and re-enact Chapter 115 of the Acts of 1916, being an act entitled, "An act providing a stenographer in the county attorney's office in counties containing cities of the first class."

To Committee on Cities of the First Class.

By Mr. Kaufman:

H. B. 179. An act to amend section 4281k of the Kentucky Statutes regulating the fees to be paid appraisers for their work under said section.

To Committee on Revenue and Taxation.

By Mr. VanHoose:

H. B. 180. An act to amend sections 12, 16, 17 and 18 of an act entitled, An act to provide an elective system of Workmen's Compensation for Industrial Accidents, and known as chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, and approved by the Governor on March 23, 1916.

To Committee on Compensation for Industrial Injuries.

By Mr. McLellen:

H. B. 181. An act to prohibit the manufacture, sale, or transportation of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky, and to regulate the manufacture and sale of alcohol for non-beverage purposes thereunder.

To Committee on Alcoholic Liquor Traffic.

By Mr. Bryson:

H. B. 182. An act defining the crime of criminal syndicalism and prescribing punishment therefor.

To Committee on Criminal Law.

By Mr. Meyers:

H. B. 183. An act to authorize and regulate the practice of chiropractic, to provide for the licensing and examination of chiropractors, to create a State Board of Examination and Registration, to provide for the appointment of same, to establish rules and regulations governing said Board, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice chiropractic, to provide a penalty for practicing chiropractic without a license as provided by this act, and to repeal all acts and parts of acts in conflict herewith.

To Committee on Kentucky Statutes.

By Mr. R. L. Stewart:

H. B. 184. An act for taking the sense of the people of this state as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution and the amendments thereto.

To Committee on Constitutional Amendments.

By Mr. Knott:

H. B. 185. An act to repeal sections 177, 178, 183, 185 and 186 of the common school laws, the same being sections 4501, 4502, 4502a-4, and 4503 respectively of the Kentucky Statutes, Carroll's edition, 1915, and to enact the following in lieu thereof.

To Committee on Education No. 1.

By Mr. Gamblin:

H. B. 186. An act to amend section 216 of Acts of 1918 of the common school laws relative to compulsory attendance.

To Committee on Education No. 2.

By Mr. Gamblin:

H. B. 187. An act to amend section 165, Acts 1918 (section 4482, Kentucky Statutes), relating to levying of tax for graded schools.

To Committee on Education No. 1.

By Mr. Gamblin:

H. B. 188. An act to amend section 213 (Acts 1918) section 4521A-1, Kentucky Statutes, relative to compulsory education.

To Committee on Education No. 2.

By Mr. McCandless:

H. B. 189. An act to regulate the installation and maintenance of water works or water systems in cities, municipalities and political subdivisions and to require such water works or water systems to build and maintain modern and efficient filters for purifying water before distribution to the inhabitants.

To Committee on Public Utilities.

By Mr. McCandless:

H. B. 190. An act to amend and re-enact section 2733A of Carroll's 1909 edition of Kentucky Statutes.

To Committee on Mines and Mining.

By Mr. Wesley:

H. B. 191. An act empowering the boards of Education of graded school districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

To Committee on Education No. 2.

By Mr. Wesley:

H. B. 192. An act to amend and re-enact section 4819, Kentucky Statutes, Carroll's edition, 1915, relating to penalty for using incorrect weights or measures and making a penalty for short weighing and measuring.

To Committee on Criminal Law.

By Mr. Beckham:

H. B. 193. An act to amend and re-enact subsection 5 of section 493 of the Civil Code of Practice, relating to re-investments of the proceeds arising from the sale of real estate and the execution of the bond therefor.

To Committee on Codes of Practice.

By Mr. Beckham:

H. B. 194. An act to amend and re-enact section 491 of the Civil Code of Practice relating to the sale of real estate and the reinvestment of the proceeds.

To the Committee on Codes of Practice.

By Mr. J. Mack Thompson:

H. B. 195. An act providing for oiling of the streets and alleys of cities of the fourth and fifth classes of this Commonwealth.

To Committee on cities of the Fifth and Sixth Class.

By Mr. Yazell:

H. B. 196. An act defining boundaries for school districts embracing cities of the fourth class, and providing systems of schools in such districts, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

To Committee on Education No. 2.

By Mr. Geveden:

H. B. 197. An act to amend and re-enact section 5, chapter 11, Acts 1918, relating to assessment of property.

To Committee on Revenue and Taxation.

The House took up for consideration from the calendar a bill of the following title, to wit: "House Bill No. 5: An act to amend and re-enact section 1763 of article 18 of chapter 47, entitled, 'Salary of Deputies—Maximum Allowed.'"

Ordered, that said bill be read the second time.

The provision of the Constitution as to the second reading of said bill at length being dispensed with, said bill was read the second time by its title.

Ordered, that said bill be placed in the orders of the day.

A communication was received from Mr. G. P. Russell, of the Kentucky Normal and Industrial Institute.

Said communication invited the members of the General Assembly to a luncheon prepared by the students of domestic science at 7 o'clock p. m., Thursday, January 29th.

On motion of Mr. Meyers, said invitation was accepted with a vote of thanks of the House.

A message was received from the Senate informing this House that the Senate had concurred in House Resolution No. 17 of the following title: "Resolution providing for an investigation of the Feeble-Minded Institute at Frankfort, Kentucky."

The Speaker, in compliance with said resolution, appointed the following members of the House as a committee to make said investigation: R. O. Huntsman, Chairman; H. N. Dean, T. R. Stults, Henry Kaufman; Robert Humphreys, Dr. W. L. Gossett and Mr. J. H. Thompson.

The following bills were delivered to the committees to which they had been referred: House bills numbered 20, 118, 66, 52, 49, 67, 64, 57, 59, 63, 54, 56, 58, 51, 55, 53, 47, 50, 46, 48, 44, 41, 26, 38, 45, 39, 35, 42, 40, 31, 43, 117, 122, 121, 113, 111, 109, 104, 120 and 43.

Mr. Welch moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 12:16 p. m., adjourned.

## WEDNESDAY, JANUARY 21, 1920.

House was called to order at 10 o'clock a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Dr. McGlothlin, pastor of the First Baptist Church, Frankfort, Kentucky.

A roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Sidney Alfrey | Dr. W. L. Haynes | Estill W. Neel |
| L. H. Ballard | Talbert Holliday | Chas. A. Nelson |
| H. H. Barnes | A. R. Hudson | T. P. Oliver |
| J. M. Billiter | Adam W. Huff | B. F. Reynolds |
| W. M. Boling | Robt. Humphreys | J. L. Richardson |
| Jo F. Bosworth | R. O. Huntsman | Sherman Robbins |
| Rodney G. Bryson | J. W. Johnson | Lee Rogers |
| Roy J. Cain | Henry Kaufman | B. A. Roth |
| W. T. Carner | Griffin Kelly | Dr. Lewis Ryans |
| J. F. Carr | Frank Kennard | Chas. R. Scott |
| T. L. Caudel | W. L. Kimbrough | W. P. Scott |
| Charles M. Ciarlo | J. M. Knott | E. E. Shannon |
| A. S. Cooper | Dr. S. D. Laughlin | Dr. B. F. Shields |
| J. S. Cruse | Hebron Lawrence | H. G. Skiles |
| P. A. Day | Joseph Lazarus | S. G. Smith |
| H. N. Dean | Rev. J. A. Lee | H. A. Spillman |
| J. B. Denues | Elmer Lusby | R. Lee Stewart |
| H. C. Duffy | R. C. Marcum | Wm. A. Stewart |
| J. M. Foster | I. S. Mason | John T. E. Stites |
| Dr. T. H. Gamblin | A. J. McCandless | Frank L. Strange |
| B. J. Goehringer | R. L. McFerron | T. R. Stults |
| J. W. Geveden | Homer C. McLellen | John W. Swope |
| Dr. W. L. Gossett | Harry J. Meyers | John B. Thomas |
| A. L. Hamilton | Claude D. Minor | J. Mack Thompson |
| A. F. Hanberry | Mack J. Morgan | J. H. Thompson |
| E. C. Hardin | John T. Murphy | Dr. D. J. Travis |

| | | |
|---|---|---|
| C. B Truesdell | A. M. Wash | R. E. Wilborn |
| John L. Trumbo | J. S. Webb | W. N. Winn |
| J. Wood Vance | Dr. T. R. Welch | Dr. W. S. Yazell |
| Fred C. VanHoose | Gladstone Wesley | |
| Daniel Vose | W. G. Wheeler | —91 |

Mr. S. C. Ray was granted an indefinite leave of absence on account of sickness.

On motion of Mr. Hudson, the reading of the Journal for Tuesday, January 20th, was dispensed with and said Journal was approved.

Mr. E. C. Hardin offered House Res. No. 18 of the following title: "A resolution inviting Hon. Wm. H. Taft, of Ohio, and Hon. Wm. J. Bryan, of Nebraska, to address the Kentucky Legislature at their convenience."

Said resolution is as follows, to wit:

Whereas, there is prevalent in this and other nations of the world a reign of anarchy, intolerance and Bolshevism, that threatens the extinction of the established order of human society, that attacks the sanctity of that bedrock of Anglo Saxon civilization, the home, and that has for its object the dissipation of all reverence and respect for law and order, and,

Whereas, the time has come when every American worthy of the name must show to the world that there is room in his affections for but "one nation and one flag," and that nation —the United States of America—and the flag, the symbol of freedom and justice wherever it waves, the stars and stripes, and,

Whereas, the government expects and should have the active cooperation of the lawmaking and law-enforcing agencies of every state in the union in the suppression of anarchy and its attendant evils, and,

Whereas, there seems to be no well defined plan of action in dealing with extreme socialism, sedition and anarchy in the different states of the union, and,

Whereas, the public mind is in a chaotic condition concerning the international relationships that this nation should assume at this crucial hour in the history of the world, and,

Whereas, these questions, so vitally affecting the future welfare of the American people and so intimately associated with the continued expansion of Democratic government in the earth, should be approached, studied and disposed of with absolute freedom from political bias and without reference to political expediencies, and,

Whereas, a wise and impartial determination of the issues involved demands that we seek the counsel and advice of men without regard to their political affiliations and who are known to have the best interests of the nation at heart; therefore,

*Be it resolved by the House of Representatives of Kentucky, the Senate concurring:*

That Hon. Wm. H. Taft, of Ohio, and Hon. Wm. J. Bryan, of Nebraska, be, and they are, hereby invited to address the Kentucky Legislature at their convenience, upon such subject or subjects as they may deem to be of importance to the public welfare, and,

Be it further resolved, that a copy of this resolution be spread upon the Journals of the House and Senate, and a copy mailed by the Clerk of this body to each of the distinguished Americans named herein.

Mr. A. S. Cooper offered the following amendment to said resolution, to wit:

Amendment to House Res. 18. Move that the name of Taft be stricken from the resolution and the name of Warren G. Harding be substituted.

Mr. J. L. Richardson moved to substitute the names of Hon. H. C. Lodge and Hon. Hiram Johnson instead of the names of Hon. Wm. H. Taft and Hon. Wm. J. Bryan.

Mr. Lazarus moved that said resolution lie on the table.

A roll call was demanded on said motion and said roll call resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | A. R. Hudson | B. A. Roth |
| L. H. Ballard | Adam W. Huff | Dr. Lewis Ryans |
| H. H. Barnes | R. O. Huntsman | S. G. Smith |
| J. M. Billiter | Henry Kaufman | R. Lee Stewart |
| Rodney G. Bryson | W. L. Kimbrough | Wm. A. Stewart |
| Roy J. Cain | Hebron Lawrence | T. R. Stults |
| W. T. Carner | Joseph Lazarus | J. H. Thompson |
| J. F. Carr | R. C. Marcum | C. B. Truesdell |
| Charles M. Ciarlo | I. S. Mason | John L. Trumbo |
| J. S. Cruse | A. J. McCandless | Fred C. VanHoose |
| H. N. Dean | R. L. McFerron | Daniel Vose |
| J. B. Denues | Homer C. McLellen | A. M. Wash |
| H. C. Duffy | Mack J. Morgan | J. S. Webb |
| J. M. Foster | Estill W. Neel | Gladstone Wesley |
| Dr. T. H. Gamblin | T. C. Pryse | R. E. Wilborn |
| B. J. Gochringer | J. L. Richardson | Dr. W. S. Yazell |
| J. W. Geveden | Sherman Robbins | |
| A. F. Hanberry | Lee Rogers | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| W. M. Boling | A. L. Hamilton | J. W. Johnson |
| T. L. Caudel | E. C. Hardin | Griffin Kelly |
| A. S. Cooper | Dr. W. L. Haynes | Frank Kennard |
| P. A. Day | Talbert Holliday | J. M. Knott |
| Dr. W. L. Gossett | Robt. Humphreys | Dr. S. D. Laughlin |

| | | |
|---|---|---|
| Rev. J. A. Lee | W. P. Scott | John B. Thomas |
| Harry J. Meyers | E. E. Shannon | J. Mack Thompson |
| Claude D. Minor | Dr. B. F. Shields | Dr. D. J. Travis |
| John T. Murphy | H. G. Skiles | J. Wood Vance |
| Chas. A. Nelson | H. A. Spillman | Dr. T. R. Welch |
| T. P. Oliver | John T. E. Stites | W. G. Wheeler |
| B. F. Reynolds | Frank L. Strange | W. N. Winn |
| Chas. R. Scott | John W. Swope | —38 |

So said resolution was tabled.

Mr. Lazarus moved to reconsider the vote by which said resolution was tabled and that that motion lie on the table.

Said motion was adopted.

Mr. Lazarus called from the Clerk's desk Senate Resolution No. 5 and moved that the rules be suspended and that the resolution be placed upon its passage.

Said motion was adopted.

Said resolution was read at length by the Clerk, and is as follows:

Joint resolution authorizing and empowering the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives to employ a stenographer.

*Be it resolved by the Senate, the House of Representatives concurring therein*:

That the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives are authorized and empowered to employ a capable and competent stenographer to aid them in the prompt and efficient dispatch of the business of their respective offices, and said stenographers so appointed shall each receive for the services the sum of $8.00 per day.

The Chief Clerks of their respective Houses will issue vouchers to the persons entitled to the same, and the Auditor of Public Accounts is directed to draw his warrants on the Treasurer in payment thereof, out of any funds in his hands unappropriated.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | E. C. Hardin | Chas. A. Nelson |
| L. H. Ballard | Dr. W. L. Haynes | T. C. Pryse |
| H. H. Barnes | Talbert Holliday | B. F. Reynolds |
| W. T. Beckham | A. R. Hudson | J. L. Richardson |
| J. M. Billiter | Adam W. Huff | Sherman Robbins |
| W. M. Boling | Robt. Humphreys | Dr. Lewis Ryans |
| Rodney G. Bryson | R. O. Huntsman | Chas. R. Scott |
| Roy J. Cain | Henry Kaufman | W. P. Scott |
| W. T. Carner | Griffin Kelly | E. E. Shannon |
| J. F. Carr | Frank Kennard | S. G. Smith |
| T. L. Caudel | W. L. Kimbrough | R. Lee Stewart |
| Charles M. Ciarlo | J. M. Knott | Wm. A. Stewart |
| A. S. Cooper | Dr. S. D. Laughlin | John T. E. Stites |
| J. S. Cruse | Hebron Lawrence | Frank L. Strange |
| P. A. Day | Joseph Lazarus | John W. Swope |
| H. N. Dean | Elmer Lusby | J. H. Thompson |
| J. B. Denues | R. C. Marcum | Dr. D. J. Travis |
| H. C. Duffy | I. S. Mason | C. B. Truesdell |
| J. M. Foster | A. J. McCandless | John L. Trumbo |
| Dr. T. H. Gamblin | R. L. McFerron | J. Wood Vance |
| B. J. Goehringer | Homer C. McLellen | Fred C. VanHoose |
| J. W. Geveden | Harry J. Meyers | Daniel Vose |
| Dr. W. L. Gossett | Mack J. Morgan | A. M. Wash |
| A. L. Hamilton | John T. Murphy | J. S. Webb |
| A. F. Hanberry | Estill W. Neel | Dr. T. R. Welch |

Gladstone Wesley R. E. Wilborn Dr. W. S. Yazell
W. G. Wheeler W. N. Winn —80

Those who voted in the negative were—

Rev. J. A. Lee J. Mack Thompson —2

So said resolution was adopted.

Resolved, that the title of said resolution be as aforesaid.

Mr. Lazarus moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said resolution be delivered to the Clerk of the Senate, in which House same originated.

The committee to which the same had been referred reported bills of the following titles, to wit:

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 37. An act to amend section 4464 of the Kentucky Statutes, relative to attesting by the trial judge the transcript of testimony taken by an official stenographic reporter.

With the expression of opinion that same ought to pass with an amendment thereto.

By same:

H. B. 23. An act to amend section 356 of the Kentucky Statutes relating to the fees allowed jailors in counties having within their boundaries cities of the first class.

With the expression of opinion that same ought to pass.

By same:

H. B. 25. An act to amend section 1730 of the Kentucky Statutes providing for the keeping and dieting of prisoners in jails of counties having therein cities of the first class.

With expression of opinion that same ought to pass.

By same:

H. B. 34. An act entitled an act repealing chapter 8, section 125M-1, section 125M-2, section 125M-3, section 125M-4, Carroll's Kentucky Statutes, 1915 edition, creating the office of detective, to be appointed by the Commonwealth's attorney in counties having cities of the second class, and approved March 22, 1918.

With the expression of opinion that same ought to pass.

By Mr. Yazell, of the Committee on Public Health:

H. B. 6. An act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of moving picture machines and providing penalties for violation of this act.

With the expression of opinion that same ought to pass.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Lazarus moved to re-commit House Bill No. 6 to the Committee on Public Health.

Said motion was adopted.

Said bill was ordered recommitted to said committee.

By Mr. Wash. Chairman of Committee on Education No. 1:

H. B. 3. An act to define common schools.

With the expression of opinion that same should not pass.

Report of said committee was adopted and bill was refused a first reading.

By same:

H. B. 111. An act to create a commission for the purpose of making a survey of the educational systems of Kentucky, and appropriating ten thousand dollars.

With the expression of opinion that same should pass after a favorable report from the Committee on Appropriations.

On motion of Dr. Welch said bill was referred to the Committee on Appropriations.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 113. An act prohibiting clerk of county from issuing marriage license to a person under 21 years without consent of parent or guardian, and requiring bond where applicant is unknown to clerk.

With the expression of opinion that said bill ought not to pass.

Said report of the committee was adopted and the bill was refused its first reading.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 89. An act to prohibit the slaughter of calves under 12 months of age, except male Jersey calves, and providing a penalty for a violation of this act.

With the expression of opinion that same ought not to pass.

Report of committee thereon was adopted and the bill was refused its first reading.

By same:

H. B. 92. An act for non-performance of contract.

With the expression of opinion that same should not pass.

Report of committee thereon was adopted and bill was refused its first reading.

By same:

H. B. —. An act prohibiting combinations and pooling by bridge and highway contractors.

With the expression of opinion that same be referred to the Committee on Public Roads and Highways.

On motion of Mr. Lazarus said bill was referred to the Committee on Public Roads and Highways.

By same:

H. B. 51. An act to amend subsection 1 of section 68a, Carroll's Kentucky Statutes, 1915 edition, relating to the

listing of dogs with the assessor for the purpose of taxation, and the taxation of dogs, payment for sheep killed by dogs, allowance of claims by the fiscal court, defining who shall be deemed the owner and entitled to list a dog for taxation, and other matters relating to dogs and the payment for sheep.

With the expression of opinion that same should be referred to the Committee on Agriculture, together with all other bills pertaining to the dog law.

On motion of Mr. Lazarus said bill was referred to the Committee on Agriculture.

A message was received from the Senate announcing that that body had concurred in House Resolution No. 15 of the following title: "A resolution to purchase certain copies of the Kentucky Statutes and Codes of Practice for the use of the Senate and House of Representatives."

Ordered. that said resolution be delivered to the Enrolling Clerk.

After a while the Clerk reported that he had performed that duty.

Senator W. P. Eaton, a former member of the General Assembly, was extended the privilege of the floor of the House.

Mr. Cooper moved to recommit House Bill No. 5 to the Committee on Public Offices, with instructions to report at any time.

Said motion was adopted.

It was so ordered.

Mr. Richardson called up Senate Res. No. 4, entitled "Joint Resolution providing for the inspection of charitable

and penal institutions,'' and moved that same be now considered.

Said motion was adopted.

Said joint resolution reads as follows:

Whereas, the high cost of living occasioned by the recent war has made it difficult for the state to run its charitable and penal institutions in a very humane and efficient way; and,

Whereas, it is the duty of this Commonwealth, through and by the action of its General Assembly, to provide reasonable comforts and protection for the unfortunates who happen to be confined in either of these charitable or penal institutions, with as much efficiency and economy as possible; therefore,

Be it resolved, that the President of the Senate appoint one Democrat and one Republican Senator and that the Speaker of the House appoint one Democrat and two Republican members of the House as a special joint committee to inspect the present management and expenditures of the charitable and penal institutions with a view to reporting to this Legislature not later than the 20th day of February, 1920, the conditions obtaining now in those institutions, the expenditures involved, and recommend change for the betterment of these conditions.

Be it further resolved, that this committee shall have power to compel the attendance of witnesses, the production of books and papers, and that the chairman or any other member of the committee shall have the power to administer oath and shall have power to employ a competent stenographer to accompany this committee for the purpose of taking evidence if the committee deems it necessary.

Then a roll call was ordered upon the adoption of said resolution and said roll call resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | J. W. Johnson | W. P. Scott |
| L. H. Ballard | Henry Kaufman | E. E. Shannon |
| H. H. Barnes | Griffin Kelly | Dr. B. F. Shields |
| W. T. Beckham | Frank Kennard | S. G. Smith |
| J. M. Billiter | W. L. Kimbrough | H. A. Spillman |
| W. M. Boling | J. M. Knott | R. Lee Stewart |
| Rodney G. Bryson | Dr. S. D. Laughlin | Wm. A. Stewart |
| Roy J. Cain | Hebron Lawrence | John T. E. Stites |
| W. T. Carner | Joseph Lazarus | Frank L. Strange |
| J. F. Carr | Elmer Lusby | T. R. Stults |
| Charles M. Ciarlo | R. C. Marcum | John W. Swope |
| A. S. Cooper | I. S. Mason | John B. Thomas |
| J. S. Cruse | A. J. McCandless | J. H. Thompson |
| P. A. Day | R. L. McFerron | Dr. D. J. Travis |
| H. N. Dean | Homer C. McLellen | C. B. Truesdell |
| J. B. Denues | Harry J. Meyers | John L. Trumbo |
| J. M. Foster | Claude D. Minor | J. Wood Vance |
| B. J. Goehringer | Mack J. Morgan | Daniel Vose |
| J. W. Geveden | John T. Murphy | Geo. C. Waggoner |
| Dr. W. L. Gossett | Estill W. Neel | A. M. Wash |
| A. L. Hamilton | Chas. A. Nelson | J. S. Webb |
| A. F. Hanberry | T. C. Pryse | Dr. T. R. Welch |
| E. C. Hardin | B. F. Reynolds | Gladstone Wesley |
| Dr. W. L. Haynes | J. L. Richardson | W. G. Wheeler |
| Talbert Holliday | Sherman Robbins | R. E. Wilborn |
| A. R. Hudson | Lee Rogers | W. N. Winn |
| Adam W. Huff | B. A. Roth | Dr. W. S. Yazell |
| Robt. Humphreys | Dr. Lewis Ryans | |
| R. O. Huntsman | Chas. R. Scott | —85 |

There voted in the negative—

H. C. Duffy —1

Then said resolution was adopted.

Ordered, that said resolution be delivered to the Clerk of the Senate.

Mr. Cooper, chairman of the Committee on Public Offices, to which House Bill No. 5 had been recommitted, reported same with the amendment as follows: "Insert after figure 47, in the title, Kentucky Statutes, Carroll's 1915 edition."

Ordered, that said bill be read the third time.

Said bill was read at length.

Mr. Hamilton moved the previous question.

The Speaker then stated: "Shall the main question now be ordered?"

The question was decided in the affirmative.

Mr. Vance moved to reconsider motion for previous question and upon a viva voce vote the Chair was in doubt and a division was called for.

Upon the division the vote stands as follows:

For the motion to reconsider, 45.

Against the motion to reconsider, 10.

So the motion to reconsider was adopted.

Mr. Lazarus then moved to commit said House Bill No. 5 to the Committee on Appropriations with instructions to report at any time.

Said motion was adopted.

Said bill was so referred.

Mr. Lee moved to reconsider the vote on House Bill No. 92 by which the report of the committee was adopted and the first reading of the bill refused.

Mr. Meyers moved that the vote by which the report of the committee on House Bill No. 92 was adopted be reconsidered and that that motion lie on the table.

Said motion was adopted.

On motion of Mr. Hamilton House Res. No. 16, entitled "An act to amend section 145 of the Constitution," was referred to the Committee on Constitutional Amendments.

On motion of Mr. Minor, Hon. Robt. T. Crowe, former Speaker of this House, was extended the privileges of the floor.

Mr. Nelson offered the following motion in writing, to wit:

Motion that the Clerk of the House be directed to have the daily proceedings of the House printed and placed upon the desks of the members of the House.

Mr. Lazarus moved that said motion lie on the table.

Said motion was adopted.

The Speaker, under and by virtue of authority of Senate Res. No. 4, appointed as House members of the Committee to investigate the charitable and penal institutions of the state, the following: A. F. Hanberry, Dr. W. L. Haynes and J. L. Richardson.

The petition of F. A. Lochry and sundry other persons which had heretofore been referred to the Committee on Pub-

lic Health, is now referred to the Committee on Appropriations.

Mr. Hamilton moved that the House do now adjourn.

Said motion was adopted.

Then at 12:38 p. m. the House adjourned.

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THURSDAY, JANUARY 22, 1920.

House was called to order by the Speaker, Mr. Bosworth.

House was opened with prayer by Dr. Gass, pastor of the Episcopal Church, Frankfort, Kentucky.

The roll call to ascertain presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | H. N. Dean | Henry Kaufman |
| Sidney Alfrey | J. B. Denues | Griffin Kelly |
| L. H. Ballard | H. C. Duffy | Frank Kennard |
| H. H. Barnes | Dr. T. H. Gamblin | W. L. Kimbrough |
| W. T. Beckham | B. J. Goehringer | J. M. Knott |
| J. M. Billiter | J. W. Geveden | Dr. S. D. Laughlin |
| W. M. Boling | Dr. W. L. Gossett | Hebron Lawrence |
| Jo F. Bosworth | A. L. Hamilton | Joseph Lazarus |
| Rodney G. Bryson | A. F. Hanberry | Rev. J. A. Lee |
| Roy J. Cain | E. C. Hardin | Elmer Lusby |
| W. T. Carner | Dr. W. L. Haynes | R. C. Marcum |
| J. F. Carr | Talbert Holliday | I. S. Mason |
| T. L. Caudel | A. R. Hudson | A. J. McCandless |
| Charles M. Ciarlo | Adam W. Huff | R. L. McFerron |
| A. S. Cooper | Robt. Humphreys | Homer C. McLellen |
| J. S. Cruse | R. O. Huntsman | Harry J. Meyers |
| P. A. Day | J. W. Johnson | Claude D. Minor |

| | | |
|---|---|---|
| Mack J. Morgan | Dr. B. F. Shields | John L. Trumbo |
| John T. Murphy | H. G. Skiles | J. Wood Vance |
| Estill W. Neel | S. G. Smith | Fred C. VanHoose |
| Chas. A. Nelson | H. A. Spillman | Daniel Vose |
| T. P. Oliver | R. Lee Stewart | Geo. C. Waggoner |
| T. C. Pryse | Wm. A. Stewart | A. M. Wash |
| B. F. Reynolds | John T. E. Stites | J. S. Webb |
| J. L. Richardson | Frank L. Strange | Dr. T. R. Welch |
| Sherman Robbins | T. R. Stults | Gladstone Wesley |
| Lee Rogers | John W. Swope | W. G. Wheeler |
| B. A. Roth | John B. Thomas | R. E. Wilborn |
| Dr. Lewis Ryans | J. Mack Thompson | V. M. Williamson |
| Chas. R. Scott | J. H. Thompson | W. N. Winn |
| W. P. Scott | Dr. D. J. Travis | Dr. W. S. Yazell |
| E. E. Shannon | C. B. Truesdell | —95 |

On motion of Mr. Lazarus the reading of the Journal of yesterday, Wednesday, January 21, 1920, was dispensed with and the Journal approved.

Mr. E. C. Hardin, on account of illness, was granted an indefinite leave of absence.

Mr. J. M. Foster was also granted an indefinite leave of absence on account of sickness.

Mr. J. Mack Morgan was granted a leave of absence for two days.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled resolutions of the following titles, viz.:

House Resolution No. 17, entitled Joint Resolution No. 17, providing for the investigation of the Feeble-Minded Institute at Frankfort, Kentucky.

House Resolution No. 15, entitled a resolution to purchase certain Statutes and Codes for the benefit of the members of the General Assembly.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Ordered, that Senate Resolutions Nos. 4 and 5, which were concurred in by the House on yesterday, be reported to the Senate by the Clerk of this House.

After a time the Clerk reported to the House that he had performed that duty.

Mr. Murphy offered a resolution of the following title: "House Resolution changing time of committee report."

Said resolution is as follows, to wit:

Whereas, it is the purpose and intention of the House of Representatives to expedite legislation and to give every representative an opportunity to be heard on the floor of the House with every bill in which he may be particularly interested; therefore,

*Be it resolved by the House of Representatives*:

That every committee be required to report to this House all bills referred to them within fifteen days from the time said bills wre referred, with or without an expression of opinion.

Mr. Lawrence moved that said resolution be committed to the Committee on Rules.

Mr. Meyers moved that said resolution do lie on the table.

Said motion to table was adopted and it was so ordered.

Mr. Meyers then moved to reconsider the vote by which said resolution was tabled and that that motion lie on the table.

Said motion was adopted.

Mr. Ryans moved to take up House Bill No. 5.

Mr. Stults, of the Committee on Appropriations, reported House Bill No. 5, with the expression of opinion that same ought to pass.

Mr. Ryans moved to go into the Committee of the Whole House to hear Mr. Ross, of Louisville, explain the bill.

The vote was taken viva voce and the Chair being in doubt a division was ordered.

Upon a division of the House on said question the vote stood as follows, to wit: Yeas, 23; nays, 35.

The motion was lost.

Mr. Lazarus moved that the report of the committee on House Bill No. 5 be not concurred in.

The Speaker ruled that this motion was out of order.

Mr. Neel moved that the House take up for consideration House Bill No. 5 and the same be placed upon its passage.

Said motion was adopted.

Said bill was read at length by the Clerk.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 1763 of Carroll's Statutes of Kentucky, 1915, be, and the same is, hereby amended and re-enacted by striking the words "two thousand dollars" and "fifteen hundred dollars" and inserting in lieu thereof the words "two thousand, five hundred dollars" and "two thousand dollars," so that said section, when amended, shall read as follows:

Section 1763. The salary of the chief deputy of each of said officers shall be two thousand five hundred dollars per year, and the salary of each of the other deputies shall be fixed at a reasonable amount, not exceeding two thousand dollars per year.

§ 2. Inasmuch as the salaries of the aforenamed officers have not been changed in years and appear inadequate an emergency is hereby declared to exist, and this act shall go into force and effect from and after its passage.

Mr. Neel moved the previous question.

The Chair then stated: "Shall the main question be now put?"

The question was decided in the affirmative.

It was so ordered.

Dr. Welch offered the following amendment, to wit:

Amend House Bill No. 5 by striking out the emergency clause.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken upon the passage of said bill, in accordance with the provisions of the Constitution, were as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | A. L. Hamilton | T. C. Pryse |
| H. H. Barnes | R. O. Huntsman | Dr. Lewis Ryans |
| W. T. Beckham | Hebron Lawrence | S. G. Smith |
| Rodney G. Bryson | Rev. J. A. Lee | H. A. Spillman |
| Roy J. Cain | I. S. Mason | T. R. Stults |
| A. S. Cooper | Homer C. McLellen | J. Mack Thompson |
| J. S. Cruse | John T. Murphy | J. H. Thompson |
| P. A. Day | T. P. Oliver | Geo. C. Waggoner |

J. S. Webb V. M. Williamson W. N. Winn
Dr. T. R. Welch —28

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | W. P. Scott |
| L. H. Ballard | Henry Kaufman | E. E. Shannon |
| J. M. Billiter | Griffin Kelly | Dr. B. F. Shields |
| W. M. Boling | Frank Kennard | H. G. Skiles |
| W. T. Carner | W. L. Kimbrough | R. Lee Stewart |
| J. F. Carr | J. M. Knott | Wm. A. Stewart |
| T. L. Caudel | Dr. S. D. Laughlin | John T. E. Stites |
| Charles M. Ciarlo | Joseph Lazarus | Frank L. Strange |
| H. N. Dean | Elmer Lusby | John W. Swope |
| J. B. Denues | R. C. Marcum | John B. Thomas |
| H. C. Duffy | A. J. McCandless | Dr. D. J. Travis |
| Dr. T. H. Gamblin | R. L. McFerron | C. B. Truesdell |
| B. J. Goehringer | Claude D. Minor | John L. Trumbo |
| J. W. Geveden | Estill W. Neel | J. Wood Vance |
| Dr. W. L. Gossett | Chas. A. Nelson | Fred C. VanHoose |
| A. F. Hanberry | B. F. Reynolds | Daniel Vose |
| Dr. W. L. Haynes | J. L. Richardson | A. M. Wash |
| Talbert Holliday | Sherman Robbins | Gladstone Wesley |
| A. R. Hudson | Lee Rogers | W. G. Wheeler |
| Adam W. Huff | B. A. Roth | R. E. Wilborn |
| Robt. Humphreys | Chas. R. Scott | Dr. W. S. Yazell |

—63

So said bill was defeated.

Mr. Lazarus moved that the vote by which said bill was defeated be reconsidered and that that motion lie on the table.

Said motion was adopted.

It was so ordered.

Upon a call of the committees for reports the committees to which the same had been referred reported bills of the following titles, to wit:

By Mr. Ciarlo, of the Committee on Circuit Courts:

H. B. 49. An act to change and fix the times for holding the terms of circuit court in the Fifth Circuit Court Judicial District of Kentucky (composed of the counties of Henderson, Union and Webster), and declaring an emergency.

With the expression of opinion that same ought to pass.

By same:

H. B. 16. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

With the expression of opinion that same ought to pass.

Said bills were severally read for the first time and ordered to be placed in the calendar.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 62. An act to expidite litigation and fix the time from which interest on all final judgments on unliquidated claims shall be calculated.

With the expression of opinion that same ought not to pass.

By same:

H. B. 11. An act relating to deeds and mortgages and other instruments of writing.

With the expression of opinion that same ought not to pass.

By same:

H. B. 14. An act relating to the liability of sureties on official bonds of peace officers.

With the expression of opinion that same ought not to pass.

Mr. Swope moved to recommit House Bill No. 11 to the Committee on Kentucky Statutes.

Mr. Lawrence moved to amend that motion by substituting the Committee on Revenue and Taxation.

Said amendment was accepted by Mr. Swope.

Then said motion, as amended, was adopted and House Bill No. 11 was referred to the Committee on Revenue and Taxation.

By same:

H. B. 108. An act to amend section 4019a-9 of the Kentucky Statutes, edition of 1918, being section 9, chapter 11, of Session Acts of 1917 approved May 2, 1917.

With the expression of opinion that same ought to pass.

By same:

H. B. 97. An act entitled an act to promote safety to the traveling public in this Commonwealth and provide a penalty for a violation of same.

With the expression of opinion that same ought to pass.

By Mr. Cooper, of the Committee on Public Offices:

H. B. 20. An act to require justices of the peace in counties having cities of the first class to provide and maintain a

suitable room for the transaction of public business and authorizing the payment of the expense thereof out of the county levy.

With the expression of opinion that same ought to pass.

By Mr. VanHoose, of the Committee on Ways and Means:

H. B. 66. An act to make and constitute "Armistice Day," the 11th day of November in each year, a legal holiday, and providing for the observance thereof.

With the expression of opinion that same ought to pass.

Said bills, except House Bills numbered 62, 11 and 14, were severally read at length for the first time and ordered to be placed in the calendar.

Mr. Waggoner moved to recommit House Bill No. 20 to Committee on Public Offices.

Said motion was adopted.

Senator Glenn, a former member of the General Assembly, was extended the privilege of the floor.

Judge Dundon, of Bourbon county, Ky., was extended the privilege of the floor.

Mr. Alfrey sent to the Clerk's desk a resolution passed by Bath Post No. 42, American Legion, which was referred to the Committee on Military Affairs.

Said resolution is as follows, to wit:

Whereas, it hath become known to Bath Post No. 42, American Legion, that there are certain organizations in the

State of Kentucky composed of members who are untrue to the principles of the United States Government, and who are seeking to undermine the institutions that were reared for the purpose of eminating freedom to all our people, and also to create a feeling of unrest. That said organizations, or persons, are a pronounced enemy to our system of government and by their acts are trying to undermine the very foundation stones upon which the primary principles of our government lie. That said organization, or persons, who are thus seeking to jeopardize our country, should be summarily dealt with; therefore,

Be it resolved that it is the sense of Bath Post No. 42, American Legion, Owingsville, Kentucky, that our State Senator and Representative in the present General Asssmbly, support any measure presented in either branch thereof, for the eradication of such aliens and undesirable citizens, and that it is the sense of this Post that they support the bill introduced by Representative Hebron Lawrence, of Monroe county, to prohibit anarchy and making propoganda against the government a felony, and also to support any and all legislation that will affect the rights and principles of the American Legion of Kentucky.

Be it further resolved that a copy of these resolutions be sent to Senator A. H. Points and Representative Sydney Alfrey; that a copy be spread on the minutes of the Post, and that a copy be given the Owingsville Outlook for publication.

D. W. DUGGETT, *Commander.*

By J. D. BROTHER, *Adjutant.*

Mr. Barnes moved to refer House Bill No. 147 to the Committee on Public Health.

Said motion was adopted and the bill was so referred.

Upon roll call of the counties and legislative districts for the introduction of bills, the following bills were introduced, ordered to be printed, and referred to the committees as follows, to wit:

By Mr. Thompson:

H. B. 198. An act fixing a tax rate on real estate for state purposes, providing for its distribution and requiring the assessment of real estate biennially.

To Committee on Revenue and Taxation.

By Mr. Truesdell:

H. B. 199. An act regulating rates of toll allowed to be charged by all turnpike companies now operating in the state of Kentucky.

To Committee on Public Roads and Highways.

By Mr. Rogers:

H. B. 200. An act repealing section 1159, Kentucky Statutes (Carroll's 1915 edition), and re-enacting the same.

To Committee on Criminal Laws.

By Mr. Kelly:

H. B. 201. An act to amend section 4821, Kentucky Statutes, Carroll's edition, 1915, relating to weights and measures.

To Committee on Criminal Laws.

By Mr. Kelly:

H. B. 202. An act to repeal and re-enact section 1 of chapter 31 of the Acts of the General Assembly, 1916, which is "An act for the protection of game birds and game animals; fixing open and closed seasons and providing penalties for violation."

To Committee on Fish and Game.

By Mr. Cruse:

H. B. 203. An act to amend and re-enact section 1061a of the Kentucky Statutes, the same being an act of the General Assembly of the Commonwealth of Kentucky, approved on the 18th day of March, 1914, entitled, "An act to provide a stenographer for the county judge of counties in the Commonwealth containing a population of two hundred thousand or over," this amendment providing for a stenographer for the county judge of other counties.

To Committee on Municipalities.

By Mr. Dean:

H. B. 204. An act to amend and re-enact section 2119, Kentucky Statutes, Carroll's 1915 edition, relating to trials in divorce cases.

To Committee on Codes of Practice.

By Mr. Barnes:

H. B. 205. An act to regulate, control and fix standard weights of corn meal, grits, hominy and corn flour, and the size of packages containing same, and to provide penalties for the violation of this act.

To Committee on Criminal Law.

By Mr. Barnes:

H. B. 206. An act to amend subsection 7 of section 1019a of the act approved March 29, 1902, entitled "An act to provide for stenographic reporters for courts of continuous session."

To Committee on Public Offices.

By Mr. Charles R. Scott:

H. B. 207. An act for the benefit of the clerks of the circuit courts of this Commonwealth in counties having a population of less than 30,000, and prescribing a salary therefor and the method of payment of same.

To Committee on Circuit Courts.

By Mr. Charles R. Scott:

H. B. 208. An act to amend and re-enact "section 388 of chapter 21, Kentucky Statutes, Carroll's edition, 1915, relating to clerks," the same being "section 17 of chapter 155 of the Acts of 1891-92 and 93," entitled, "An act relating to clerks."

To Committee on County and City Courts.

By Mr. Johnson:

H. B. 209. An act relating to revenue and taxation; amending an act of May 2, 1917, entitled "An act relating to revenue and taxation," which same is section 4019a-5, Kentucky Statutes, 1918.

To Committee on Agriculture.

By Mr. Johnson:

H. B. 210. An act to promote the chicken industry of the Commonwealth, to encourage the breeding and raising of better strains of chickens, by the payment of premiums to the owners and exhibitors of chickens.

To Committee on Agriculture.

By Mr. Johnson:

H. B. 211. An act to amend chapter 132, 1918 Acts of the Kentucky Legislature, same being an amendment to section 2514, Kentucky Statutes, Carroll's 1915 edition, entitled "Actions that must be brought within 15 years after accrual of right."

To Committee on Kentucky Statutes.

By Mr. Webb:

H. B. 212. An act to regulate the size and construction of caboose cars and providing penalties.

To Committee on Railroads.

By Mr. Webb:

H. B. 213. An act to amend and re-enact sections 543 and 4225, Kentucky Statutes, relating to the capital stock of corporations.

To Committee on Corporate Institutions.

By Mr. Hudson:

H. B. 214. An act entitled an act fixing the legal rate of rent in the Commonwealth of Kentucky.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 215. An act to amend and re-enact section 2980 of the Kentucky Statutes (Carroll's edition, 1915) relating to revenue and taxation in cities of the first class.

To Committee on Municipalities.

By Mr. McLellen:

H. B. 216. An act to amend sections 4, 12, 16, and 17 of an act entitled, "An act to provide an elective system of Workmen's Compensation for Industrial Accidents," and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23rd, 1916, and the same act as amended by what is known as chapter 176 of the acts of the General Assembly of the Commonwealth of Kentucky, for the year 1918, and approved by the Governor March 29th, 1918. Said sections as amended, and to be amended by this act, are known as sections No. 4883, 4893, 4897 and 4898 of Carroll's Kentucky Statutes, volume 3, 1918 edition.

To Committee on Compensation for Industrial Injuries.

By Mr. Roth:

H. B. 217. An act relating to officers of the police court in cities of the first class, and to the bond recorder in such cities, and amending, enlarging, re-enacting and repealing certain sections of the Kentucky Statutes, Carroll's edition of 1915, as follows: amending and re-enacting section 2911, relating to said court and its officers; repealing section 2928*a* relating to the doorkeeper of said court; repealing sections 2940 to 2944, inclusive, relating to the bailiff of said court; repealing section 2945 relating to the interpreter of said court; repealing section 2947 relating to the bond recorder in such cities, and abolishing the offices and positions of said doorkeeper, bailiff, interpreter and bond recorder, and providing for the performance, by the clerk of said court, of the duties now respectively performed by said officers, and amending, enlarging and re-enacting sections 2930 and 2931, defining the powers, duties and compensation of the clerk of

the police court in such cities, and fixing the number of his deputies and their compensation; all of said sections being portions of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893, as amended and supplemented by the act approved March 18, 1903 (chapter 31, Acts 1904), and by the act of March 22, 1904 (chapter 96, Acts of 1904).

To Committee on Municipalities.

By Mr. Lazarus:

H. B. 218. An act to create a State Board of Charities and Corrections for the management and supervision of the benevolent, charitable, eleemosynary, correctional and penal institutions of this state; to vest in said board ample powers, including all the powers now vested by law in the State Board of Control and the managers of the House of Reform for Girls and appropriating funds for the maintenance of the State Board of Charities and Corrections.

To Committee on State Prisons and Houses of Reform.

By Mr. Richardson:

H. B. 219. An act amending section 1155 of the Kentucky Statutes relating to the crime of carnally knowing a female under 16 years of age, or an idiot.

To Committee on Criminal Law.

By Mr. Richardson:

H. B. 220. An act creating the office of Special Commonwealth's Attorney, prescribing his duties and fixing his compensation.

To Committee on Criminal Law.

By Mr. Kaufman:

H. B. 221. An act to amend and re-enact section 3 of chapter 72 of the Acts of the General Assembly of 1916, relating to fiscal court in each county of the Commonwealth having therein a city of the first class ; and authorizing the fiscal court in such county to appoint a clerk and deputy and a stenographer and to fix their bonds, salaries and prescribe their duties.

To Committee on Municipalities.

By Mr. Kaufman:

H. B. 222. An act to provide the pupils of the public schools of Kentucky with free text books and providing for rules governing the use and distribution and care thereof and providing for the payment thereof.

To Committee on Education No. 1.

By Mr. Murphy:

H. B. 223. An act to amend section 1506, article 4, and section 1541, article 9, of the general statutes, Carroll's 1915 edition, entitled "elections." An act of June 30th, 1892, relating to officers of elections.

To Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 224. An act to amend and re-enact sections 3, 5 and 7 of an act entitled, "An act to create the Kentucky Library Commission, to define its powers and duties and to

provide for its expenses,'' which act is chapter 27, Acts 1910, approved March 17, 1910.

To Committee on Municipalities.

By Mr. Meyers:

H. B. 225. An act providing for county libraries and for the extension of library privileges to counties in this Commonwealth.

To Committee on Municipalities.

By Mr. Meyers:

H. B. 226. An act relating to free public libraries in cities and towns of the second, third, fourth, fifth and sixth classes of this Commonwealth.

To Committee on Municipalities.

By Mr. Stites:

H. B. 227. An act concerning the practice of the healing art in this state, relating to applications, examinations and certificates, and to fees therefor, and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments.

To Committee on Public Health.

By Mr. Wash:

H. B. 228. An act in relation to 798 shares of stock held by the State Board of Education of the Commonwealth of Kentucky in the National Bank of Kentucky, and authorizing its exchange for stock in the National Bank of Kentucky,

which was consolidated with the National Bank of Commerce and the American Southern National Bank, in the proportion of .6079 shares of new stock in the consolidated bank to each share of stock in the old bank, and a cash bonus on each share of the old stock in addition thereto, and authorizing the Sinking Fund Commissioners to invest the cash received from said exchange in bonds of the United States.

To Committee on Education No. 1.

By Mr. McCandless:

H. B. 229. An act amending section 1916 of Kentucky Statutes (Carroll's edition) and repealing so much thereof as excepts persons who sell combination or French pools on race tracks during the races from the statute against setting up or operating machines or contrivances used in betting.

To Committee on Racing Commission.

By Mr. McCandless:

H. B. 230. An act to amend section 2022 of the Kentucky Statutes (Carroll's 1915 edition) by adding at the end of said section the words, "Provided, however, that if the parents of the minor be living, the court shall summons them to appear and ascertain whether or not the person nominated is a competent person to be guardian for said minor," and reenact the same.

To Committee on County and City Courts.

By Mr. Mason:

H. B. 231. An act to amend section 4642 of Carroll's Kentucky Statutes relating to fees of official court reporters.

To Committee on Circuit Courts.

By Mr. Billiter:

H. B. 232. An act to amend and re-enact section 561 Kentucky Statutes, Carroll's edition, 1915, relating to the termination of the existence of corporations, by providing that a declaration of such termination shall be filed in the office of the Secretary of State.

To Committee on Corporate Institutions.

By Mr. Biliter:

H. B. 233. An act to amend and re-enact section 4042A12, Kentucky Statutes, Carroll's edition, vol. 3, 1918, relating to the manner of assessment of property for taxation and duties of tax commissioners.

To Committee on Revenue and Taxation.

By Mr. Wesley:

H. B. 234 An act authorizing the purchase of and maintenance of one or more blood hounds by the fiscal courts of the various counties.

To Committee on Agriculture.

By Mr. Beckham:

H. B. 235. An act providing for the annual assessment of all property, except real estate, for state and county purposes, and providing further that real estate shall be assessed quadrennially, and further providing for the assessment of omitted property, improvements and parts of real estate conveyed, and defining the words "real estate," and providing

for a repeal of all laws, or parts of laws in conflict with said act.

To Committee on Revenue and Taxation.

By Mr. Beckham:

H. B. 236. An act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent agricultural, merchants and manufacturers building upon said Kentucky State Fair Grounds.

To Committee on State Fair.

By Mr. Carr:

H. B. 237. An act to regulate and protect fur-bearing animals, and to prevent the killing thereof except between the first day of November and the first day of the succeeding March.

To Committee on Fish and Game.

By Mr. Carr:

H. B. 238. An act to fix the jurisdiction in police and city courts in cities of the fourth class in this Commonwealth.

To Committee on Cities of the Fourth Class.

By Mr. Carr:

H. B. 239. An act to amend section 203 of the Criminal Code, fixing the number of peremptory challenges allowed to defendants in criminal cases.

To Committee on Codes of Practice.

Mr. Meyers moved that the House do now adjourn to convene on Monday, January 26th, at one o'clock p. m.

Said motion was adopted.

Then at 12:40 p. m. the House adjourned.

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MONDAY, JANUARY 26, 1920.

House was called to order by the Speaker, Mr. Bosworth.

House was opened with prayer by Father O'Dwyer, of the Catholic Church, Frankfort, Kentucky.

The roll call to ascertain presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | P. A. Day | W. L. Kimbrough |
| Sidney Alfrey | H. N. Dean | J. M. Knott |
| L. H. Ballard | J. B. Denues | Dr. S. D. Laughlin |
| H. H. Barnes | H. C. Duffy | Hebron Lawrence |
| W. T. Beckham | B. J. Goehringer | Joseph Lazarus |
| J. M. Billiter | J. W. Geveden | Rev. J. A. Lee |
| W. M. Boling | Dr. W. L. Gossett | Elmer Lusby |
| Jo F. Bosworth | A. L. Hamilton | R. C. Marcum |
| Rodney G. Bryson | A. F. Hanberry | I. S. Mason |
| Roy J. Cain | Dr. W. L. Haynes | A. J. McCandless |
| W. T. Carner | Talbert Holliday | R. L. McFerron |
| J. F. Carr | D. J. Howard | Harry J. Meyers |
| T. L. Caudel | A. R. Hudson | Mack J. Morgan |
| Charles M. Ciarlo | Adam W. Huff | John T. Murphy |
| A. S. Cooper | Robt. Humphreys | Estill W. Neel |
| B. L. Cox | J. W. Johnson | Chas. A. Nelson |
| J. S. Cruse | Henry Kaufman | T. P. Oliver |

| | | |
|---|---|---|
| T. C. Pryse | R. Lee Stewart | Daniel Vose |
| B. F. Reynolds | John T. E. Stites | Geo. C. Waggoner |
| J. L. Richardson | Frank L. Strange | A. M. Wash |
| Sherman Robbins | T. R. Stults | J. S. Webb |
| B. A. Roth | John W. Swope | Gladstone Wesley |
| Dr. Lewis Ryans | J. Mack Thompson | W. G. Wheeler |
| W. P. Scott | J. H. Thompson | R. E. Wilborn |
| E. E. Shannon | Dr. D. J. Travis | V. M. Williamson |
| Dr. B. F. Shields | C. B. Truesdell | W. N. Winn |
| H. G. Skiles | John L. Trumbo | Dr. W. S. Yazell |
| S. G. Smith | J. Wood Vance | |
| H. A. Spillman | Fred C. VanHoose | —85 |

On motion of Mr. Lazarus the reading of the Journal of Thursday, January the 22nd, 1920, was dispensed with and the Journal approved.

A message was received from the Senate announcing that the Senate had passed Senate Bill No. 2 of the following title:

"An act to amend section 1884 of Kentucky Statutes (Carroll's edition of 1915) relating to sheriffs' settlements, and advertising same," and asking the concurrence of the House therein.

A message was received from the Senate announcing that the Senate had passed Senate Resolution No. 7 of the following title:

"Joint resolution requesting the Senators and Representatives from Kentucky to use their influence in relieving car shortage in Kentucky as it affects the production of the Kentucky coal mines," and asking the concurrence of the House therein.

Mr. Vose moved that House Bill No. 4 be referred to the Committee on Public Offices.

Said motion was adopted.

It was so ordered.

Mr. Dean sent to the Clerk's desk the petition of Grover Drew and sundry other teachers of Jackson county, Kentucky, asking that the Legislature provide better salaries for teachers, better qualified teachers, and better equipped school houses, which petition was referred to the Committee on Education No. 2.

Mr. Caudel introduced a joint resolution of the following title: "House Res. No. 18, a joint resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing."

Said resolution was referred to the Committee on Appropriations.

Mr. Lawrence introduced a joint resolution of the following title: "House Res. No. 19, providing for the appointment of a committee to investigate the high cost of living."

Under the rules said resolution was ordered to lie over one day.

Senate Bill No. 2, passed by the Senate, was by the Speaker of the House referred to the Committee on Kentucky Statutes.

A message from the Governor to the House of Representatives was received and read at length.

Said communication is as follows, to wit:

*Gentlemen of the House of Representatives of the Commonwealth of Kentucky*:

The Budget Appropriation Commission has been unavoidably delayed in the consideration of a budget message and preparation of bills contemplated under the budget law, by the failure of several state institutions to file their reports in the time specified by law with the commission, and by the necessity of returning several of said reports for corrections and additional information, and by the request of several of the state institutions for hearings before the commission.

On account of these delays, the commission is not now prepared to make the report which it desires to make to the General Assembly, nor to present the bills contemplated by the budget act, and the commission therefore respectfully requests that you extend the time for the filing of this report and the bills which are to accompany it until Monday, February 9th, 1920.

A similar message has this day been sent to the Senate of the Commonwealth of Kentucky.

BUDGET APPROPRIATION COMMISSION.
By
EDWIN P. MORROW, *Chairman.*
JOHN J. CRAIG, *Commissioner.*
J. A. SCOTT, *Commissioner.*

January 26, 1920.

Mr. Lawrence moved to extend the time for the Budget Commission to report and file bills until February 9th, 1920.

Said motion was adopted.

It was so ordered.

Mr. Waggoner moved to reconsider the vote by which House Bill No. 20 was recommitted on last Thursday and then by unanimous consent said motion was withdrawn.

House Resolution No. 18 was referred to the Committee on Appropriations.

Mr. W. A. Stewart was granted a leave of absence for two days.

Mr. Griffin Kelly was granted a leave of absence for two days.

Mr. C. D. Minor was granted an indefinite leave of absence.

Mr. H. C. McLellen was granted a leave of absence for today.

Mr. R. O. Huntsman was granted a leave of absence for today.

Mr. J. M. Foster was granted a leave of absence for today.

A communication was received from President Frank L. McVey, of the State University of Kentucky, inviting the Legislature to attend the meeting of Farmers' Week on Thursday, January 29th, and to a luncheon at noon on said date, at Lexington, Kentucky.

Mr. VanHoose moved to accept said invitation.

Then Mr. Lee moved that Messrs. Meyers and Cooper be appointed as a committee to confer with the University officials in regard to the date of said invitation as an invitation had already been accepted by the Legislature to attend a supper by the Kentucky Industrial Institute for colored persons on the same date.

Said motion was adopted.

Said committee was appointed by the Speaker.

Then the Speaker added Mr. Barnes, of Lexington, to the committee.

Mr. Lee offered a resolution of the following title: "House Res. No. 20, to provide additional pay for pages."

Said resolution was referred to the Committee on Appropriations.

Mr. Barnes sent to the Clerk's desk a communication from President Frank L. McVey, of the University of Kentucky, in regard to the invitation to the House to come to the University on Thursday, January 29th, which communication was read and referred to the Committee composed of Messrs. Meyers, Cooper and Barnes.

The committee to which same had been referred reported bills of the following titles, to wit:

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

H. B. 76. An act to prohibit the manufacturing, making, selling, loaning, giving and procuring for another, any decoction containing denatured alcohol as a beverage and to provide punishment therefor.

With the expression of opinion that same ought to pass.

By Mr. Webb, of the Committee on Insurance, Life and Accident:

H. B. 94. An act to amend section 762-a, subsection 22, regulating agreements between insurance companies and the insured.

With the expression of opinion that same ought to pass.

By Mr. VanHoose, of the Committee on Ways and Means:

H. B. 112. An act to amend and re-enact section 4168, Kentucky Statutes (Carroll's 1915 edition), relating to compensation of sheriffs and collectors.

With the expression of opinion that same ought to pass.

With an amendment thereto proposed by the committee.

Said bills were severally read at length and ordered to be placed in the calendar.

By Mr. Billiter, of the Committee on Education No. 2:

H. B. 56. An act making it the duty of school trustees to procure suitable United States flags and to cause them to be displayed on school buildings and grounds during school terms.

Without an expression of opinion.

Mr. Hudson moved to read said House Bill No. 56 the first time and place same in the calendar.

Said motion was adopted.

Then said bill was read at length the first time and ordered to be placed in the calendar.

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

House Res. 10. A resolution directing the Auditor of Public Accounts to refund the various former liquor dealers

in the counties of Kentucky that have become dry since June 30, 1919, that portion of the state license that was unearned at the time it became unlawful to sell by retail spirituous, vinous or malt liquors in said counties.

Without expression of opinion.

Mr. Lawrence moved to commit said resolution to the Committee on Appropriations with leave to report at any time.

Said motion was adopted.

Said resolution was so referred.

The Speaker, Mr. Bosworth, laid before the House a communication from Rev. E. L. Powell and others, of the Executive Committee of the Kentucky Children's Home Society, which communication was read at length to the House and is as follows, to wit:

*To the Honorable Thruston Ballard, Lieut. Governor; Hon. Joseph F. Bosworth, Speaker of the House of Representatives; Hon. R. O. Huntsman, Chairman Joint Legislative Probe Committee, Frankfort, Ky.:*

With reference to the charge made by Representative Huntsman that the Kentucky Children's Home Society has placed normal children in the Feeble-Minded Institute at Frankfort, the Executive Committee of the Society submits the following statement of the facts:

Primarily, the object of the Society is to find family homes for dependent children, and, obviously, only normal children can be placed in such homes. However, some abnormal, or subnormal, children are committed to us and all such children are carefully studied and treated by competent physicians and often by some slight operation, such as the removal of

tonsils, or adenoids, relief from eye or ear troubles, scientific feeding and kindly care, children apparently subnormal develop into normal children. In many cases, however, all efforts fail, and it then becomes the duty of the Society to place feeble-minded children in the institution provided by the state for their care.

It appears that Representative Huntsman made a visit to the Feeble-Minded Institute, saw a number of children, and then announced these children were normal. Against an opinion, however sincere, derived from this cursory and casual visit of a man not an expert, not even a physician, the Society submits these facts. Every child involved had had a minimum of three months' study and treatment in the Society's receiving home; first by the trained nurses employed, second by the matron, third, by the physician in charge, who saw subnormal children daily. Later, when the 1916 Legislature adopted an act providing for a survey of the feeble-minded in Kentucky, a commission was appointed consisting of E. S. Tachau, Mrs. Morris Belknap, Dr. H. E. Tuley, and Messrs. Stuart Chevalier and Fred Levy. This commission secured Dr. Thos. R. Haines, a psychologist of national reputation, from the National Commission for Mental Hygiene in New York, as director of this survey, and, upon his arrival in Kentucky, the Society asked him to examine its feeble-minded children, and has his report upon 41 of the 47 children involved in the Huntsman charges. Dr. Haines' report showed 31 definitely feeble-minded and 10 "border-line" cases, with grave doubt as to their future. Later the Society's physician, having concluded that all these children were beyond any help we could give them, application was made, as provided by law, to the Jefferson Circuit Court, two disinterested physicians were appointed in each case by the judge of the court, juries were empaneled, and, as a result, the children involved were committed to the Feeble-Minded Institute. Later still, through the efforts of the Welfare League, a psychological laboratory in connection with the Louisville

Public Schools was established, and Henrietta V. Race was made director and Frank S. Fearing, clinical psychologist, of this laboratory.

At the Society's request, Mr. Fearing went to the Feeble-Minded Institute to examine children placed there by the Society, and of those examined, found two he thought might be brought up to normal, and these two were immediately re-taken by the Society and are now under treatment in the receiving home.

This is the record of the placement of these children. The Society welcomes the most rigid investigation of every case. It invites the committees of the Senate and the House to secure the services of the best experts, both in the state and out of it; it urges the most careful scrutiny of every child by these experts, and it insists upon its right to present to the committee the full history of every child, feeling sure that it may rely upon the sense of justice of the committees to receive the whole facts before attempting to arrive at any conclusion. For this purpose every director of the society, its whole staff of nurses and physicians, and its complete records of every child are at the service of the committee at any time or place designated.

Respectfully submitted,

E. L. POWELL,
WALTER P. LINCOLN,
THOMAS R. EWING,
JAMES R. BULLOCK.
HARRY W. ROBINSON,
LEE MILES,
LEON ABRAHAM,
GILES VAN CLEAVE,
CHARLES E. WOODCOCK,
CHARLES W. WELCH,
MRS. ARTHUR KAYE,
MRS. GEORGE L. DANFORTH.
WILLIAM K. CLARK,
ALEX. W. TRIPLETT,
MRS. A. T. HERT,
R. W. BINGHAM, *Chairman,*
*Executive Committee.*

(Signatures typewritten by authority.)

Upon a call of the counties and legislative districts for the introduction of bills the following bills were introduced, or-

dered to be printed, and referred to the committees indicated, to wit:

By Mr. Cox:

H. B. 240. An act to repeal, amend, and re-enact subsection 9 of section 367a of the Civil Code of Practice, relating to proceedings in civil actions in circuit courts.

To Committee on Codes of Practice.

By Mr. Cox:

H. B. 241. An act repealing, amending and re-enacting subsection 15 of section 4426a, Kentucky Statutes, 1915 edition, relating to the meetings of the county board of education and compensation of its members.

To Committee on Education No. 1.

By Mr. Cox:

H. B. 242. An act providing for the certification by the county clerk to the county superintendent of schools of each year's assessment of property for school taxation, and for the certification of the assessment by the superintendent of schools to the treasurers or collectors of the graded common schools.

To Committee on Education No. 2.

By Mr. Cox:

H. B. 243. An act to amend subsection 6 of section 4399, Kentucky Statutes (Carroll's Edition, 1915) relating to the appointment and duties of supervisors for rural schools.

To Committee on Education No. 1.

By Mr. Cox:

H. B. 244. An act to amend and re-enact section 4521a of article 14, chapter 113, Kentucky Statutes, edition of 1915, relating to the duties of parents and guardians in the compulsory education of children.

To Committee on Education No. 1.

By Mr. Cox:

H. B. 245. An act to repeal section 104 of chapter 139 of the Acts of the General Assembly of 1918, which became a law without the approval of the Governor, entitled an act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the state school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor, providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries, and substituting for said section 104 a new section providing for the distribution of said funds, the increase and manner of fixing teachers' salaries.

To Committee on Education No. 1

By Mr. Cox:

H. B. 246. An act fixing the salary of the county superintendent of schools, providing for its payment and for a suitable office for the superintendent of schools.

To Committee on Education No. 2.

By Mr. Vose:

H. B. 247. An act to increase the compensation or pay of officers of election in Kentucky.

To Committee on Kentucky Statutes.

By Mr. Truesdell:

H. B. 248. An act to amend and re-enact an act entitled, "An act to amend section 4356o, Kentucky Statutes, Carroll's edition, 1915, whereby all able bodied male citizens living outside of incorporated cities and towns in counties wherein there is a city of the first or second class shall be exempt from working on the public roads of the county."

To Committee on Public Roads and Highways.

By Mr. Williamson:

H. B. 249. An act to regulate and fix the charges on storage and custodianship of distilled spirits held in bonded warehouses.

To Committee on Revenue and Taxation.

By Mr. Barnes:

H. B. 250. An act to govern, control and regulate the selling and advertising of medicines in this Commonwealth whether by physicians, itinerants, peddlers or vendors of medicine, and prescribing penalties for the violation thereof.

To Committee on Pure Food.

By Mr. Adams:

H. B. 251. An act entitled the Fish and Game Local Option Law.

To Committee on Fish and Game.

By Mr. Lazarus:

H. B. 252. An act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

To Committee on Kentucky Statutes.

By Mr. Lazarus:

H. B. 253. An act abolishing the Department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the offices of State Forester, and State Geologist attached thereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the department of geology and forestry as provided for in chapter 35, Acts of 1918, and chapter 59, Kentucky Statutes, Carroll, vol. 3, 1918, section 2007-A, 1, to 2007-G, 31, inclusive.

To Committee on Kentucky Statutes.

By Mr. Richardson:

H. B. 254. An act to amend an act entitled, "An act for the benefit of the Kentucky Home Society for Colored Children," approved March 19, 1910, chapter 34, pages 92 and 93, as amended by the act entitled, "An act to amend an act entitled, 'An act for the benefit of the Kentucky Home Society for Colored Children,' approved March 19, 1910," chapter 145, pages 655-666, approved March 21, 1912, increasing the

annual appropriation from $10,000.00 to $15,000.00, payable annually.

To Committee on Appropriations.

By Mr. Kaufman:

H. B. 255. An act to amend sections 167, 171 and 174 of Kentucky Statutes, Carroll's edition, 1915, relating to bastardy.

To Committee on Criminal Law.

By Mr. Kaufman:

H. B. 256. An act to make it a felony for a man to leave, desert or abandon, without adequate support, his pregnant wife, or his wife with a child or children under 16 years of age, or his wife without children but unable to support herself.

To Committee on Criminal Law.

By Mr. Kaufman:

H. B. 257. An act to repeal chapter 84 of Kentucky Statutes, Carroll's edition, 1915, being sections 2591 to 2610 inclusive of said edition, article I of said chapter relating to Master and Apprentice, and article II to Master and Servant.

To Committee on Kentucky Statutes.

By Mr. Cooper:

H. B. 258. An act relating to children who are now or hereafter may become dependent, neglected or delinquent in counties containing cities of the first class in the Common-

wealth of Kentucky, and providing for the selection and appointment of commissioners, referees and probation officers in such counties and prescribing their terms of office, their duties and remuneration.

To Committee on Public Offices.

By Mr. Hamilton:

H. B. 259.

To Committee on Criminal Law.

By Mr. Meyers:

H. B. 260. An act to amend section 3146 of Carroll's edition of the Kentucky Statutes.

To Committee on Municipalities.

By Mr. Stewart:

H. B. 261. An act creating the Kentucky Geological Survey, designating its executive officer and his duties, and providing funds for its maintenance.

To Committee on Forestry.

By Mr. Stewart:

H. B. 262. An act making it unlawful for persons to permit the running of horses, mules, cattle, hogs, sheep and live stock of any and all kinds at large upon the streets and alleys of towns of the fifth class, and providing a penalty therefor.

To Committee on Criminal Law.

By Mr. Stewart:

H. B. 263. An act to make it unlawful to catch fish with a seine or net in navigable and non-navigable streams; prescribing regulations and providing penalties.

To Committee on Fish and Game.

By Mr. Lawrence:

H. B. 264. An act to prohibit the display of the red flag in any public assembly as a symbol of any organization in furtherance of any social, political or economical doctrine or propaganda and providing the punishment for so doing.

To Committee on Military Affairs.

By Mr. Lawrence:

H. B. 265. An act to repeal, amend and re-enact section 1847, Kentucky Statutes, 1915, Carroll's edition, relating to Commissioners to constitute fiscal courts and providing for special elections therefor.

To Committee on City and County Courts.

By Mr. Beckham:

H. B. 266. An act to amend subsection 3 of section 490, Carroll's Civil Code of Practice.

To Committee on Codes of Practice.

By Mr. Carr:

H. B. 267. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes, Carroll's 1918

edition, volume 3, relating to the classification of cities and towns.

To Committee on Classification of Cities and Towns.

By Mr. Howard:

H. B. 268. An act imposing a license or franchise on any person, firm, corporation or association engaged in the mining of coal in this state and authorizing counties also to impose a tax for road, school and county purposes; providing methods of determining the amount of tax due and prescribing penalties for a violation of the provisions of the act.

To Committee on Mines and Mining.

Mr. Hamilton, of the Committee on Enrollments, reported that said committee had examined and found correctly enrolled Senate Resolutions of the following titles, to wit:

S. Res. 4. Joint Resolution providing for inspection of charitable and penal institutions.

S. R. 5. Joint Resolution providing for stenographer for Chief Clerk of Senate and Chief Clerk of the House of Representatives.

Whereupon all other business was suspended and said resolutions were severally read at length and compared in open House and found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

Mr. Lazarus asked unanimous consent for the Committee on Kentucky Statutes to report on House Bills Nos. 252 and 253.

The Speaker asked if there was any objection to said report and there was none.

Thereupon the Committee on Kentucky Statutes, to which the same had been referred, reported bills of the following titles:

H. B. 252. An act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the act and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

With the expression of opinion that same ought to pass.

H. B. 253. An act abolishing the Department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the offices of State Forester and State Geologist, attached thereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the Department of Geology and Forestry, as provided for in chapter 35, Acts of 1918, and chapter 59, Kentucky Statutes, Carroll, vol. 3, 1918, section 2007-A 1 to 2007-G, 31, inclusive.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Richardson asked unanimous consent for Committee on Criminal Law to report House Bill No. 33.

The Speaker inquired if there was any objection and there was none.

Thereupon the Committee on Criminal Law, to which same had been referred, reported House Bill No. 33, of the following title: "An act entitled and act amending section 75 of the Criminal Code of Practice, Carroll's 1919 edition."

With the expression of opinion that same ought to pass.

Whereupon said bill was read at length the first time and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 37. An act to amend section 4464 of the Kentucky Statutes relative to attesting by trial judge the transcript of testimony taken by an official stenographic reporter.

H. B. 23. An act to amend section 356 of the Kentucky Statutes relating to the fees allowed jailors in counties having within their boundaries cities of the first class.

H. B. 25. An act to amend section 1730 of the Kentucky Statutes providing for the keeping and dieting prisoners in jails of counties having therein cities of the first class.

H. B. 34. An act entitled an act repealing chapter 8, section 125M-1; section 125M-2, section 125M-3, section 125M-4, Carroll's Kentucky Statutes, 1915 edition, creating the office of detective, to be appointed by the Commonwealth's attorney in counties having cities of the second class, and approved March 22, 1918.

H. B. 49. An act to change and fix the time for holding terms of circuit court in the fifth circuit court judicial district of Kentucky (composed of the counties of Henderson, Union and Webster), and declaring an emergency.

H. B. 16. An act to amend section nine hundred and sixty-five, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

H. B. 108. An act to amend section 4019-a, Kentucky Statutes, relating to mortgage lien debts.

H. B. 97. An act entitled an act to promote safety to the traveling public and provide a penalty for the same.

H. B. 66. An act to make and constitute "Armistice Day," the 11th day of November in each year, a legal holiday, and providing for the observance thereof.

Ordered, that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

The following bills were delivered to the chairmen of Committees to which they had been referred: Nos. 172, 175, 153, 148, 154, 155, 149, 158, 156, 157, 163, 151, 152, 162, 159, 161, 150, 170, 167, 199, 165, 171, 166, 164, 197, 187, 195, 174, 130, 140, 141, 142, 129, 143, 178, 123, 138, 136, 177, 182, 184, 188, 124, 186, 182, 193, 185, 192, 191, 179, 133, 137, 128, 132, 131, 176, 180 and 194.

Mr. Meyers moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 3:20 p. m., adjourned.

## TUESDAY, JANUARY 27, 1920.

House was called to order at 10 a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Father O'Dwyer, of the Catholic Church, Frankfort, Kentucky.

A roll call to ascertain presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | A. L. Hamilton | Mack J. Morgan |
| Sidney Alfrey | E. C. Hardin | John T. Murphy |
| L. H. Ballard | Dr. W. L. Haynes | Estill W. Neel |
| H. H. Barnes | Talbert Holliday | Chas. A. Nelson |
| J. M. Billiter | D. J. Howard | T. P. Oliver |
| W. M. Boling | A. R. Hudson | T. C. Pryse |
| Jo F. Bosworth | Adam W. Huff | S. C. Ray |
| Rodney G. Bryson | Robt. Humphreys | J. L. Richardson |
| Roy J. Cain | R. O. Huntsman | Sherman Robbins |
| W. T. Carner | J. W. Johnson | B. A. Roth |
| J. F. Carr | Henry Kaufman | Dr. Lewis Ryans |
| T. L. Caudel | Griffin Kelly | Chas. R. Scott |
| Charles M. Ciarlo | W. L. Kimbrough | W. P. Scott |
| A. S. Cooper | J. M. Knott | E. E. Shannon |
| B. L. Cox | Dr. S. D. Laughlin | Dr. B. F. Shields |
| J. S. Cruse | Hebron Lawrence | H. G. Skiles |
| P. A. Day | Joseph Lazarus | S. G. Smith |
| H. N. Dean | Rev. J. A. Lee | R. Lee Stewart |
| J. B. Denues | Elmer Lusby | Wm. A. Stewart |
| H. C. Duffy | R. C. Marcum | John T. E. Stites |
| J. M. Foster | I. S. Mason | Frank L. Strange |
| Dr. T. H. Gamblin | A. J. McCandless | T. R. Stults |
| B. J. Gochringer | R. L. McFerron | John W. Swope |
| J. W. Geveden | Homer C. McLellen | J. Mack Thompson |
| Dr. W. L. Gossett | Harry J. Meyers | Dr. D. J. Travis |

| | | |
|---|---|---|
| C. B. Truesdell | Geo. C. Waggoner | V. M. Williamson |
| John L. Trumbo | A. M. Wash | W. N. Winn |
| J. Wood Vance | J. S. Webb | Dr. W. S. Yazell |
| Fred C. VanHoose | Gladstone Wesley | |
| Daniel Vose | R. E. Wilborn | —88 |

On motion of Mr. Roth the reading of the Journal of Monday, January 26, 1920, was dispensed with and the Journal approved.

Mr. Neel moved that House Bill No. 26 be referred to the Committee on Education No. 1.

Said motion was adopted.

Mr. McLellen introduced the following resolution, to wit:

Whereas, the members of the last session of the House of Representatives, very few of whom were returned at this session, remember with much pleasure the Honorable Wm. P. McDonough, who so brilliantly represented the Forty-ninth District in this House during the session of 1918, and,

Whereas, the said Hon. Wm. P. McDonough departed this life on the 12th day of December, 1918, a victim of influenza; now, therefore,

*Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky*:

That this House express its sincere sympathy to the bereaved relatives of the family of Mr. McDonough, and that it express to the family of the deceased our sincere appreciation of his work in the last session of the House of Representatives, and of the high esteem in which he was held by his colleagues.

That the Chief Clerk of this House be instructed to forward to the family a copy of this resolution.

Mr. McLellen moved the adoption of said resolution.

Said resolution was unanimously adopted.

Messrs. Hanberry, Haynes, Reynolds, Robbins, Richardson, Thompson and Wheeler were granted a leave of absence.

Mr. Wheeler was granted a leave of absence for today, and the others for an indefinite time.

Mr. Mason presented the petition of E. L. Duke and sundry other citizens of Ohio county asking the Legislature to pass House Bill No. 158.

Said petition was referred to the Committee on Railroads.

Said petition is as follows, to wit:

*To the Kentucky Legislature*:

We, the undersigned citizens of Ohio county, having been for seven years without adequate or any reasonable train service on the M. H. & E. branch of the Louisville & Nashville Railroad, which traverses Ohio county for a distance of more than thirty miles, respectfully petition and urge you to favorably consider and pass House Bill No. 158, introduced by Hon. I. S. Mason, the purpose of which bill is to require the operation over said road of trains sufficient to, in a measure, accommodate the traveling and shipping public.

(Signed) E. F. DUKE,
and sundry other citizens of Ohio county.

The House took up for consideration Senate Res. No. 7 of the following title:

"Joint Resolution requesting the Senators and Representatives from Kentucky to use their influence in relieving

car shortage in Kentucky, as it affects the production of the Kentucky coal mines."

Said resolution reads as follows:

*Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein:*

That whereas there is a serious shortage in the supply of coal cars to the coal mines of Kentucky, and that by reason of such shortage a great many of the mines are unable to operate as much as two days per week on an average, and this lack of shipping facilities is preventing Kentucky from supplying the market with anything like the amount of coal which her large fields and extensive development entitle her to, and it is also discouraging further development of the mines so that production may be increased and the urgent need of the public for coal be supplied. And, whereas, the foregoing shortage of coal cars is causing severe hardship upon the operator, the miner and the public as well; therefore,

Be it resolved, that the Senate of Kentucky, the House of Representatives concurring, respectfully request her Senators and Representatives in the Congress of the United States to exert all their power and influence toward the immediate relief of said shortage of coal cars, and take such action as in their opinion is necessary to secure a prompt and adequate supply of cars to take care of the production of Kentucky mines so that they may supply the very pressing demand of consumers everywhere.

And be it further resolved that a committee of three (3) be appointed by the President of the Senate to act jointly with a like committee to be appointed by the House, to take this car shortage question up with the railroads, and, if need be, with the Interstate Commerce Commission, and our Senators and Representatives in the United States Congress.

Mr. VanHoose moved that the House concur with the Senate in the adoption of said resolution.

Said motion was carried.

Said resolution was concurred in.

Ordered, that Senate Bill No. 2, which was passed by the Senate, on January 26th, and reported to this House on that day, be now referred to the Committee on Kentucky Statutes.

Mr. Humphreys offered the petition of sundry citizens of Graves county, which was referred to the Committee on Public Roads and Highways.

On a call of committees for reports the following bills and resolutions were reported by the committees indicated:

By Mr. Stults, of the Committee on Appropriations·

H. Res. 10. Joint Resolution directing Auditor of Public Accounts to refund to former liquor dealers the unearned portion of state liquor license.

Without expression of opinion.

Mr. Murphy moved to adopt House Resolution No. 10.

A message was received from the Senate announcing that it had passed Senate Bill No. 23 of the following title: "An act to amend and re-enact section 561, Kentucky Statutes, Carroll's edition, 1915, relating to the termination of the existence of corporations, by providing that a declaration of such termination shall be filed in the office of the Secretary of State," and asking the concurrence of this body.

Said bill was referred to Committee on Corporate Institutions.

The House then proceeded with the consideration of House Res. No. 10.

Said resolution reads as follows:

H. Res. 10. A resolution directing the Auditor of Public Accounts to refund the various former liquor dealers in the counties of Kentucky that have bcome dry since June 30th, 1919, that portion of the state license that was unearned at the time it became unlawful to sell by retail spirituous, vinous or malt liquors in said counties.

Whereas, under section 3115-11/12F of the United States Compiled Statutes, it became unlawful, after June 30th, 1919, to sell spirituous, vinous or malt liquors, and

Whereas, all dealers in spirituous, vinous or malt liquors by reason of the law, were compelled to obtain license for a whole year, and,

Whereas, they paid for a privilege for many months which they did not get by reason of the laws of the United States, and,

Whereas, it was not the intention of the law or any law that the state should accept and keep money for a privilege which it did not protect; therefore,

*Be it resolved by the General Assembly of Kentucky*:

§ 1. That the Auditor of Public Accounts of the state of Kentucky is hereby directed to issue his warrant on the State Treasurer in favor of the various holders of state licenses in those counties which have become dry since June 30th, 1919, for such proportion of said state license as the unexpired period of the license bears to the whole year, and the Treasurer is hereby authorized to pay said amount. That is to say, he shall ascertain the date it became unlawful to sell spirituous, vinous or malt liquors in said counties and shall refund to the various holders of such licenses the unearned portion thereof.

§ 2. This money having long since been due, an emergency is hereby declared to exist, and this resolution shall take effect from and after its adoption.

The following amendment thereto was adopted, to wit:

Provided that no funds shall be returned until the holder of said license shall have filed a sworn affidavit with the Auditor that he has not, by himself, agent or employe, directly or indirectly, sold nor permitted malt, vinous nor alcoholic liquors during any part of the time for which he claims rebate in said license.

Then the question was taken upon the adoption of resolution as amended.

A roll call being demanded thereon by Messrs. Murphy and Meyers resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | John T. E. Stites |
| W. T. Beckham | W. L. Kimbrough | Frank L. Strange |
| W. M. Boling | J. M. Knott | John B. Thomas |
| T. L. Caudel | Dr. S. D. Laughlin | J. Mack Thompson |
| Charles M. Ciarlo | Harry J. Meyers | Dr. D. J. Travis |
| J. S. Cruse | Mack J. Morgan | C. B. Truesdell |
| P. A. Day | John T. Murphy | J. Wood Vance |
| H. C. Duffy | Chas. A. Nelson | Geo. C. Waggoner |
| Dr. T. H. Gamblin | T. P. Oliver | Dr. T. R. Welch |
| Dr. W. L. Gossett | S. C. Ray | V. M. Williamson |
| A. L. Hamilton | Dr. Lewis Ryans | W. N. Winn |
| D. J. Howard | Chas. R. Scott | |
| Robt. Humphreys | W. P. Scott | —37 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | R. O. Huntsman | Dr. B. F. Shields |
| L. H. Ballard | Henry Kaufman | H. G. Skiles |
| H. H. Barnes | Griffin Kelly | S. G. Smith |
| J. M. Billiter | Hebron Lawrence | H. A. Spillman |
| Roy J. Cain | Joseph Lazarus | R. Lee Stewart |
| W. T. Carner | Elmer Lusby | Wm. A. Stewart |
| J. F. Carr | R. C. Marcum | T. R. Stults |
| A. S. Cooper | I. S. Mason | John W. Swope |
| B. L. Cox | A. J. McCandless | John L. Trumbo |
| H. N. Dean | R. L. McFerron | Fred C. VanHoose |
| J. B. Denues | Homer C. McLellen | Daniel Vose |
| J. M. Foster | Estill W. Neel | A. M. Wash |
| B. J. Goehringer | T. C. Pryse | J. S. Webb |
| J. W. Geveden | Sherman Robbins | Gladstone Wesley |
| Talbert Holliday | Lee Rogers | R. E. Wilborn |
| A. R. Hudson | B. A. Roth | Dr. W. S. Yazell |
| Adam W. Huff | E. E. Shannon | —50 |

So said resolution was lost.

Mr. Goehringer moved to reconsider the vote by which House Res. No. 10 was lost and that that motion lie on the table.

Said motion was adopted.

By Mr. McCandless, of the Committee on Cities of the Fifth and Sixth Class.

H. B. 119. An act to provide for a commission form of government for cities of the fifth and sixth classes, its adoption to be optional with the citizens of such cities, and the judicial and the police functions and powers of same to be invested in the county authorities.

With the expression of opinion that same ought to pass.

By same:

H. B. 195. An act providing for oiling of the streets and alleys of cities of the fourth and fifth classes of this Commonwealth.

With the expression of opinion that same ought to pass.

Said bills were severally read the first time at length and ordered placed in the calendar.

By Mr. Wash, of the Committee on Education No. 1:

H. B. 122. An act to amend section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

With the expression of opinion that same ought to be referred to Committee on Constituional Amendments.

By Mr. Trumbo, of the Committee on Insurance, Life and Accident:

H. B. 136. An act amending and re-enacting section 107 of an act entitled, "An act providing for the creation and regulation of corporations," being chapter 171 of the Acts of 1893, which became a law on April 5, 1893, without the signature of the Governor, and which section is now section 644 of the Kentucky Statutes, Carroll's edition of 1915.

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and ordered to be placed in the calendar.

Hon. Richard Radcliffe, a former member of this House, was extended the privilege of the floor.

By Mr. Goehringer, of the Committee on Racing Commission:

H. B. 36. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

With the expression of opinion that same ought not to pass.

Mr. Murphy moved that said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding.

Mr. Murphy addressed the House on said motion.

Mr. Waggoner addressed the House on said motion and while he was speaking

Mr. Huntsman rose to a point of order.

The Speaker requested the gentleman from Allen county to state his point of order.

Then Mr. Huntsman said that under Rule 57 no debate shall be allowed upon the question whether or not a bill shall be read, the report of the committee to the contrary notwithstanding, except that the originator of the bill or any one indicated by him shall have ten minutes to explain the bill, and one member of the committee who favors the bill may have the same time to explain the action of the committee.

The Speaker ruled that the point was well taken and that such time for debate as the rule indicated would be allowed.

Said bill is as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

It shall be unlawful for any person, either for himself or as agent or employe of another, to bet, wager or hazard money or anything of value on a horse race run or to be run or advertised, posted or reported as being run or about to be run, at any race track in or out of this state, and any person so offending shall, upon conviction, be confined in the county jail not less than one nor more than twelve months.

It shall be unlawful for any person, either for himself or as agent or employe of another, to engage in the business or occupation of receiving, making, transmitting or negotiating, either in person or by messenger, or by telephone or telegraph, bets, wagers or hazards on horse races run or to be run or advertised, posted or reported as being run or about to be run at any race track in or out of this state, and any person so offending shall, upon conviction, be confined in the county jail for a period of not less than one nor more than twelve months.

In any prosecution under this act, or in any investigation by an examining court or grand jury, it shall be no exemption for a witness that his testimony may incriminate himself; but no such testimony given by the witness shall be used against him in any prosecution except for false swearing or perjury, and he shall be discharged from liability for any violation of the law upon his part disclosed by his testimony, nor shall any person against whom he testifies be permitted to prove similar violations upon the part of such witness.

In prosecutions under this act it shall not be incumbent upon the Commonwealth to prove that the horse race upon which the bet or wager was made was actually run; proof that the wager or bet was made upon what purported to be or what was advertised, reported, stated or understood to be

a horse race, shall be deemed sufficient to establish a prima facie case for the Commonwealth.

The provisions of this act shall not apply to bets or wagers made within the enclosure of a race course or track licensed by the State Racing Commission during an authorized and licensed race meeting at such race track or course.

All laws or parts of laws in conflict herewith are hereby repealed.

Messrs. Waggoner and Welch demanded a roll call upon Mr. Murphy's motion to give said bill its first reading and place same in the calendar.

The roll call being had thereon resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| L. H. Ballard | A. R. Hudson | Dr. B. F. Shields |
| W. T. Beckham | Griffin Kelly | H. G. Skiles |
| J. M. Billiter | J. M. Knott | H. A. Spillman |
| W. M. Boling | Dr. S. D. Laughlin | Wm. A. Stewart |
| Roy J. Cain | Rev. J. A. Lee | John T. E. Stites |
| W. T. Carner | Elmer Lusby | John W. Swope |
| J. F. Carr | A. J. McCandless | John B. Thomas |
| T. L. Caudel | Mack J. Morgan | Dr. D. J. Travis |
| P. A. Day | John T. Murphy | Fred C. VanHoose |
| H. C. Duffy | Chas. A. Nelson | Geo. C. Waggoner |
| J. W. Geveden | S. C. Ray | A. M. Wash |
| Dr. W. L. Gossett | W. P. Scott | Gladstone Wesley |
| D. J. Howard | E. E. Shannon | W. N. Winn |

—39

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Charles M. Ciarlo | H. N. Dean |
| Sidney Alfrey | A. S. Cooper | J. B. Denues |
| H. H. Barnes | B. L. Cox | J. M. Foster |
| Rodney G. Bryson | J. S. Cruse | Dr. T. H. Gamblin |

| | | |
|---|---|---|
| B. J. Goehringer | I. S. Mason | Frank L. Strange |
| A. L. Hamilton | Harry J. Meyers | T. R. Stults |
| Talbert Holliday | Estill W. Neel | J. Mack Thompson |
| Adam W. Huff | T. P. Oliver | C. B. Truesdell |
| Robt. Humphreys | T. C. Pryse | John L. Trumbo |
| R. O. Huntsman | Sherman Robbins | Daniel Vose |
| J. W. Johnson | Lee Rogers | J. S. Webb |
| Henry Kaufman | B. A. Roth | Dr. T. R. Welch |
| W. L. Kimbrough | Dr. Lewis Ryans | R. E. Wilborn |
| Hebron Lawrence | Chas. R. Scott | V. M. Williamson |
| Joseph Lazarus | S. G. Smith | Dr. W. S. Yazell |
| R. C. Marcum | R. Lee Stewart | —47 |

So said motion was lost and the bill refused its first reading.

Mr. Meyers moved that the vote by which said motion was lost be reconsidered and that that motion lie on the table.

Said motion was adopted.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 53. An act requiring the payment of a license tax by persons, firms, associations and corporations, who for compensation engaged in the business of operating hat and coat racks or check rooms at hotels, restaurants or other places where the public is entertained where such compensation is contingent upon gratuities.

With the expression of opinion that same ought to pass.

By same:

H. B. 157. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

With the expression of opinion that same ought to pass.

Said bills were severally read for the first time at length and ordered to be placed in the calendar.

By same:

H. B. 117. An act to amend subsection 2 of section 68b, Kentucky Statutes, Carroll's 1910 edition, relating to a tax upon dogs.

With the expression of opinion that same ought to be referred to the Committee on Agriculture, which was done.

By same:

H. B. 55. An act to amend and re-enact chapter 1 of the Session Acts of 1918 relating to expenses and employes of the State Tax Commission.

With the expression of opinion that same ought not to pass.

The chair then stated: "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By Mr. Pryse, of the Committee on Retrenchment and Reform:

H. B. 77. An act to abolish the office of State Fire Marshal, and to assign the duties thereof to the sheriffs of the several counties of this Commonwealth.

With the expression of opinion that same ought to pass.

Said bill was read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 37. An act to amend section 4464 of the Kentucky Statutes, relative to attesting by the trial judge the transcript of testimony taken by an official stenographic reporter.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 4464, Kentucky Statutes, relative to attesting by the trial judge the transcript of testimony taken by the official stenographic reporter, be amended by inserting the following words, "or his successor in office," and providing that said act shall apply to all pending cases wherein appeals have been granted, and the terms of the judges before whom the cases were tried have expired before the time for filing and attesting the transcripts of the testimony has arrived, so that said section, when amended, shall read as follows:

"Any of said transcripts of testimony made by such reporter, as aforesaid, when attested by the judge before whom the trial was had, or his successor in office, may be taken, without being copied, to the Court of Appeals, to be used upon an appeal and thereafter returned to the court in which it was made. That this section of the statute as amended shall apply to all cases wherein appeals have been granted by the circuit courts of the state to the Court of Appeals and the terms of the judges before whom the cases were tried have expired before the transcripts of the testimony have been signed."

The following amendment proposed by the committee was adopted:

Amend House Bill No. 37 by striking all of paragraph II, and inserting in lieu thereof the following:

Any of said transcripts of testimony made by such reporter, as aforesaid, when attested by the judge before whom the trial was had, or by the judge who holds the term of court at which, by order of court, said transcript is required to be approved, were the regular judge before whom the case was tried is absent, or by said judge's successor in office if the judge who tried the case is dead or out of office when the evidence is to be attested, may be taken, without being copied, to the Court of Appeals, to be used upon appeal. This section shall apply to transcripts of testimony whether the appeal is granted in the lower court or by the Clerk of the Court of Appeals.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. M. Boling | Charles M. Ciarlo |
| Sidney Alfrey | Rodney G. Bryson | A. S. Cooper |
| L. H. Ballard | Roy J. Cain | P. A. Day |
| H. H. Barnes | W. T. Carner | H. N. Dean |
| W. T. Beckham | J. F. Carr | H. C. Duffy |
| J. M. Billiter | T. L. Caudel | J. M. Foster |

| | | |
|---|---|---|
| Dr. T. H. Gamblin | A. J. McCandless | John T. E. Stites |
| B. J. Gochringer | R. L. McFerron | Frank L. Strange |
| J. W. Geveden | Harry J. Meyers | T. R. Stults |
| Dr. W. L. Gossett | Mack J. Morgan | John W. Swope |
| A. L. Hamilton | John T. Murphy | John B. Thomas |
| D. J. Howard | Estill W. Neel | J. Mack Thompson |
| A. R. Hudson | Chas. A. Nelson | Dr. D. J. Travis |
| Robt. Humphreys | S. C. Ray | C. B. Truesdell |
| R. O. Huntsman | Sherman Robbins | John L. Trumbo |
| J. W. Johnson | Lee Rogers | J. Wood Vance |
| Henry Kaufman | B. A. Roth | Fred C. VanHoose |
| Griffin Kelly | Dr. Lewis Ryans | Daniel Vose |
| W. L. Kimbrough | Chas. R. Scott | Geo. C. Waggoner |
| J. M. Knott | W. P. Scott | A. M. Wash |
| Dr. S. D. Laughlin | E. E. Shannon | J. S. Webb |
| Hebron Lawrence | Dr. B. F. Shields | Dr. T. R. Welch |
| Joseph Lazarus | H. G. Skiles | Gladstone Wesley |
| Rev. J. A. Lee | S. G. Smith | R. E. Wilborn |
| Elmer Lusby | H. A. Spillman | V. M. Williamson |
| R. C. Marcum | R. Lee Stewart | W. N. Winn |
| I. S. Mason | Wm. A. Stewart | Dr. W. S. Yazell |

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Resolved, that the title thereof be as aforesaid.

Mr. Murphy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then reports of standing committees were continued as follows:

By Mr. Hudson, of the Committee on State Prisons and Houses of Reform:

H. B. 218. An act to create a State Board of Charities and Corrections for the management and supervision of the benevolent, charitable, eleemosynary, correctional and penal

institutions of this state; to vest in said board ample powers, including all the powers now vested by law in the State Board of Control and the managers of the House of Reform for Girls, and appropriating funds for the maintenance of the State Board of Charities and Corrections.

With the expression of opinion that same ought to pass.

By unanimous consent of the House said bill was read the first time and ordered to be placed in the calendar.

H. B. 20 was delivered to Mr. Cooper, chairman of the Committee on Public Offices.

Mr. Hudson moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 1:18 p m., adjourned.

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WEDNESDAY, JANUARY 28, 1920.

House was called to order at 10 a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Father O'Dwyer, of the Catholic Church, Frankfort, Kentucky.

The roll call to ascertain presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | J. M. Billiter | W. T. Carner |
| Sidney Alfrey | W. M. Boling | J. F. Carr |
| L. H. Ballard | Jo F. Bosworth | T. L. Caudel |
| W. T. Beckham | Rodney G. Bryson | Charles M. Ciarlo |
| S. M. Bennett | Roy J. Cain | A. S. Cooper |

| | | |
|---|---|---|
| J. S. Cruse | Rev. J. A. Lee | R. Lee Stewart |
| P. A. Day | Elmer Lusby | Wm. A. Stewart |
| H. N. Dean | R. C. Marcum | John T. E. Stites |
| J. B. Denues | I. S. Mason | Frank L. Strange |
| H. C. Duffy | A. J. McCandless | T. R. Stults |
| J. M. Foster | R. L. McFerron | John W. Swope |
| Dr. T. H. Gamblin | Homer C. McLellen | John B. Thomas |
| J. W. Geveden | Harry J. Meyers | J. Mack Thompson |
| Dr. W. L. Gossett | Mack J. Morgan | J. H. Thompson |
| A. L. Hamilton | John T. Murphy | Dr. D. J. Travis |
| E. C. Hardin | Estill W. Neel | C. B. Truesdell |
| Talbert Holliday | Chas. A. Nelson | John L. Trumbo |
| D. J. Howard | T. P. Oliver | J. Wood Vance |
| A. R. Hudson | S. C. Ray | Fred C. VanHoose |
| Adam W. Huff | B. F. Reynolds | Daniel Vose |
| Robt. Humphreys | Sherman Robbins | Geo. C. Waggoner |
| J. W. Johnson | Lee Rogers | A. M. Wash |
| Henry Kaufman | B. A. Roth | J. S. Webb |
| Griffin Kelly | Dr. Lewis Ryans | Dr. T. R. Welch |
| Frank Kennard | Chas. R. Scott | Gladstone Wesley |
| W. L. Kimbrough | W. P. Scott | W. G. Wheeler |
| J. M. Knott | E. E. Shannon | R. E. Wilborn |
| Dr. S. D. Laughlin | Dr. B. F. Shields | W. N. Winn |
| Hebron Lawrence | H. G. Skiles | Dr. W. S. Yazell |
| Joseph Lazarus | S. G. Smith | —89 |

On motion of Mr. Roth the reading of the Journal of Tuesday, January 27th, was dispensed with and the Journal approved.

Senate Resolution No. 7, concurred in by this House on yesterday, was returned to the Senate.

House Resolution No. 19, entitled, "A joint resolution to investigate the high cost of living," was taken up for consideration and was adopted.

Said resolution is as follows, to wit:

Whereas, the prices of food, clothing, rent, fuel and other necessaries of life are unusually high, and it appearing that many of the citizens of this state are amassing fortunes on account of unreasonable and unfair charges and unwarranted high prices while the weak and innocent children and their parents, in many instances, are unable to procure the same in reasonable quantities for a healthful and reasonable subsistence, and,

Whereas, complaint is being made by the press that corporations, both foreign and domestic, and capitalists and wholesale and retail merchants, hotels, restaurants and landlords and divers other classes and kinds of trades and professions are profiteering and unduly boosting the prices of commodities of various kinds and descriptions, and it appearing that there is now existing a conspiracy between many of said profiteers to withhold production and to corner many articles of necessity; therefore,

*Be it enacted by the House of Representatives of the Commonwealth of Kentucky, the Senate concurring*:

That there be a committee of five appointed, three by the Speaker of the House of Represntatives and two by the President of the Senate, which committee composed of members from the said two bodies is directed and empowered to investigate the cause of high cost of living and report in writing to each House not later than Feb. 23 next, any and all causes for high prices, and whether or not, in their opinion, any remedial legislation can be of assistance in checking profiteering, and whether or not there is now any law of this state being violated by individuals, corporations, or combinations of either or all to discourage production, or to withhold from the market and corner commodities, and said committee may further investigate and report whether the school children are being charged in this Commonwealth more for text books than is being paid for like books in other states, and whether the state is being charged more than is fair and right for any other commodities at the present time.

The Speaker appointed Messrs. Lawrence and Winn to convey said resolution to the Senate and to ask the concurrence of that body therein.

Pursuant to resolution heretofore passed to investigate a car shortage in Kentucky, the Speaker appointed Messrs. T. H. Gamblin, A. R. Hudson and Mack J. Morgan members of a committee on behalf of the House of Representatives.

Upon a roll call of the counties and legislative districts for the introduction of bills, the following bills were introduced, ordered to be printed, and referred to the committees indicated:

By Mr. Geveden:

H. B. 269. An act to amend and re-enact section 4426A-2, 4448, 4458, Kentucky Statutes, Carroll's edition, 1918, relating to schools, subdistricts and local taxation.

To Committee on Education No. 2.

By Mr. Geveden:

H. B. 270. An act to amend and re-enact section 809, Kentucky Statutes, Carroll's edition, 1915, relating to killing or injuring stock by locomotive or cars of railroad company.

To Committee on Railroads.

By Mr. Thompson:

H. B. 271. An act authorizing counties and other taxing school districts, including cities and towns maintaining a separate system of public schools, to impose a tax on intangible property and money on deposit in banks and trust companies for local school purposes and prescribing the limits of such tax rate.

To Committee on Revenue and Taxation.

By Mr. Neel:

H. B. 272. An act requiring the State Tax Commission to assess all property belonging to telephone, telegraph, express, turnpike or pipe line companies, both tangible and intangible, and providing for reports and the apportionment of the assessment among the jurisdictions entitled to collect taxes thereon.

To Committee on Revenue and Taxation.

By Mr. Marcum:

H. B. 273. An act to repeal and re-enact chapter 168 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled, "An act making it unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or "moonshine" still, and providing a penalty for any violation of this act; and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned."

To Committee on Alcoholic Liquor Traffic.

By Mr. Dean:

H. B. 274. An act authorizing the various counties of this Commonwealth to impose a license tax upon dogs, for the promotion of the live stock industry and the protection of live stock and poultry from damage by dogs, and regulating the keeping of dogs and authorizing their destruction in cer-

tain cases where any county has imposed a license tax on dogs; providing for the protection of licensed dogs and for dogs temporarily imported in such counties for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and providing for the listing of dogs by the county tax commissioner in counties where such license tax is imposed, and providing a penalty for the county tax commissioner's failure to so list same; providing for the assessment of damage done by dogs and the payment thereof by the county to the owners of live stock and poultry and of damage to licensed dogs in counties where such license has been imposed; prescribing the duties of the county court clerk in counties where such license has been imposed; providing penalties for the violation of this act in counties where such license has been imposed, and repealing all laws in conflict with this act, and especially repealing all of chapter 112 of the acts of the General Assembly of 1918.

To Committee on Judiciary.

By Mr. Barnes:

H. B. 275. An act creating a State Board of Examiners of Professional Engineers and Architects, providing for the examination and licensing of professional engineers and architects, defining their qualifications, regulating the practice of professional engineering and architecture in the State of Kentucky and fixing penalties for violation thereof.

To Committee on Kentucky Statutes.

By Mr. Barnes:

H. B. 276. A bill to provide for safety to life and property in this state in the construction and use of steam boilers; creating a board of boiler rules to prescribe rules and regulations for boilers used in this state, which will be uniform

with other state rules now in existence, in order to provide for the free interchange of boilers between states; to define the power of the board of boiler rules; to provide penalties for the violation of this act and rules and regulations of the board of boiler rules, and making an appropriation to carry out the provision of this act.

To Committee on Appropriations:

By Mr. Hamilton:

H. B. 277. An act relating to the assessment of omitted intangible property with the county clerk and also the assessment of other property with the county clerk where such property has not been assessed by the county tax commissioner and prescribing his duties and methods of procedure.

To Committee on Revenue and Taxation.

By Mr. Hamilton:

H. B. 278. An act to establish a standard of weights and measures; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the sale and use of false weights and measures and weighing and measuring instruments and devices; providing for the inspection of measurement and weighing of goods, commodities, wares, packages and amount of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for county sealer and weigher; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Commissioner of Weights and Measures and his dep-

uty, inspectors, sealers of weights and measures and their deputies; defining the powers and duties of such officers; making an appropriation to carry this act into effect and to repeal all acts in conflict herewith.

To the Committee on Revenue and Taxation.

By Mr. Stewart:

H. B. 279. An act to amend and re-enact section 4421A-3 of article 5a, Carroll's edition, 1918, Kentucky Statutes, by changing the period of adoption of text books for the common schools from five years to ten years.

To Committee on Education No. 1.

By Mr. Stewart:

H. B. 280. An act making it the duty of the State Tax Commission to direct the institution of prosecutions to collect penalties for the failure of any taxpayer to make reports to the State Tax Commission for purposes of taxation.

To Committee on Revenue and Taxation.

By Mr. Humphreys:

H. B. 281. An act subjecting to local taxation farm implements and farm machinery owned by a person actually engaged in farming and used in his farm operations; and machinery and products in course of manufacture of persons, firms or corporations actually engaged in manufacturing and their raw material actually on hand at their plants for the purpose of manufacture; but exempting from local taxation property of said classes not exceeding five hundred dollars to each taxpayer.

To Committee on Revenue and Taxation.

By Mr. Lee:

H. B. 282. An act to prevent selling soft drinks at place of religious worship.

To Committee on Alcoholic Liquor Traffic

By Mr. McLellen:

H. B. 283. An act designating the kind and character of investments which may be made by insurance corporations with its capital, accumulations and funds, and providing for the change and reinvestmet of same from time to time, and limiting the amount thereof that may, by the said corporations be invested in certain classes of securities, and repealing section 625 of chapter 32 of the Kentucky Statutes.

To Committee on Insurance, Life and Accident.

By Mr. McLellen:

H. B. 284. An act to enable cities of the first class to construct additions and make more perfect their systems for the disposition of sewage, and to amend and re-enact section 14 of an act entitled, "An act to enable cities of the first class to construct an extension to their systems for the disposition of sewage," approved March 18, 1912.

To Committee on Municipalities:

By Mr. McLellen:

H. B. 285. An act to repeal section 659 of the Kentucky Statutes relating to life insurance, and to substitute in lieu thereof other provisions concerning insurance written on the lives of persons of this Commonwealth.

To Committee on Insurance, Life and Accident.

By Mr. McLellen:

H. B. 286. An act to amend and re-enact section 2768, Carroll's Kentucky Statutes, edition of 1915, being section 6 of the act entitled, "An act for the government of cities of the first class," approved July 1st, 1893.

To Committee on Municipalities.

By Mr. Lazarus:

H. B. 287. An act to provide for the payment of premiums on bonds executed by state officers elected by the voters of the State at large.

To Committee on Kentucky Statutes.

By Mr. Kaufman:

H. B. 288. An act to amend and re-enact subsection 3 of section 331e of the Kentucky Statutes (Carroll's 1915 edition) relating to the compensation of probation officers, assistant probation officers and other assistants.

To Committee on Juvenile Courts and Children's Homes.

By Mr. Kaufman:

H. B. 289. An act providing for the working of prisoners in cities of the first class, committed under order or judgment of the police court to the city workhouse or the county jail, or other penal institution.

To Committee on Municipalities.

By Mr. Kaufman:

H. B. 290. An act to repeal subsection 8 of section 331d, and subsection 3 of section 331g and the following words in subsection 2 of section 331e, "The county courts of the several counties of this State shall have exclusive jurisdiction in all cases coming within the terms and provisons of this act," of the Kentucky Statutes (Carroll's 1915 edition) and to increase the jurisdiction of the circuit courts by adding jurisdiction of all cases, powers and matters coming within the terms and provisions of an act entitled, "An act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an act entitled, "An act relating to children who are now or may hereafter become dependent, neglected, or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised," approved March 19, 1908; also of all cases, powers, and matters coming within the terms and provisions of an act entitled, "An act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all acts amending and that may hereafter be passed amending said three acts.

To Committee on Juvenile Courts and Children's Home.

By Mr. Stewart:

H. B. 291. An act repealing subsection one of section 4521a, Kentucky Statutes, Carroll's edition, 1915, being the same as section 213 of Chapter 17 of the common school law.

of 1918, and also section 216 of the common school law of 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State.

To Committee on Education No. 2.

By Mr. Yazell:

H. B. 292. An act relating to public health; to provide state aid for the acquisition, construction, equipment and maintenance of tuberculosis district sanatoria in this Commonwealth and in making improvements, betterments and additions thereto.

To Committee on Tuberculosis.

By Mr. Cruse:

H. B. 293. An act requiring that all deeds of conveyance passing title from one person to another shall set out the full consideration in the face of the deed and making it unlawful to record any deed unless the true consideration is stated and prescribing penalties.

To Committee on Kentucky Statutes.

By Mr. Kelly:

H. B. 294. An act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

To Committee on Revenue and Taxation.

By Mr. Wash:

H. B. 295. An act to amend and to add to the corporate power of the sisters of the "Literary Society of Saint Catharine," incorporated by the act of December 19, 1839, chapter 28, under the title of the "Literary Institution of Saint Magdalen," and which was further amended by the act of March 11, 1858, being chapter 406, changing the name of said institution to the "Literary Society of Saint Catherine of Sienna."

To Committee on Education No. 1.

By Mr. Wash:

H. B. 296. An act to amend section 4535f-1, Kentucky Statutes, Carroll's edition, 1915, and relating to State Inspectors and Examiners of Schools, and to substitute the following in lieu thereof.

To Committee on Education No. 1.

By Mr. Wash:

H. B. 297. An act repealing section 4385a and chapter 123 of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employes of the Superintendent of Public Instruction.

To Committee on Education No. 1.

By Mr. Lawrence:

H. B. 298. An act to prohibit the manufacture, selling, loaning, giving and procuring for another, Jamaica ginger, lemon extract and any other mixture containing alcohol, for beverage purposes, and providing a penalty therefor.

To Committee on Alcoholic Liquor Traffic.

By Mr. Reynolds:

H. B. 299. An act to provide physical education and training for all pupils in the common, graded, state normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the metods of carrying the same into effect.

To Committee on Education No. 1.

By Mr. Wesley:

H. B. 300. An act to amend and re-enact section 128, chapter 43, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, an act entitled, "An act to provide for the organization, armament, equipment, discipline and government of the militia."

To Committee on Military Affairs

By Mr. Beckham:

H. B. 301. An act imposing a license or franchise on any person, firm, corporation or association engaged in the mining of coal in this State and authorizing counties also to impose a tax for road, school and county purposes; providing methods of determining the amount of tax due and prescribing penalties for a violation of the provisions of the act.

To Committee on Revenue and Taxation.

By Mr. Waggoner:

H. B. 302. An act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

To Committee on Military Affairs.

By Mr. Howard:

H. B. 303. An act to amend section 962b of the Kentucky Statutes, relating to the Commissioner of Appeals.

To Committee on Court of Appeals.

By Mr. Roth:

H. B. 304. An act to continue the existence of the Kentucky Council of Defense for the sole purpose of completing the work of gathering, arranging and preserving the history of Kentucky's part in the World War, and making an appropriation for that work.

To Committee on Appropriations.

The following bills were delivered to committees to which they had been referred: Nos. 224, 220, 222, 139, 144, 216, 218, 204, 212, 223, 169, 200, 134, 181, 125, 215, 214, 198, 202, 208, 201, 205, 168, 183, 211, 173, 213, 203, 219, 207, 209, 206, 210, 189, 145, 190, 160 and 4.

House Resolution No. 20, by Mr. VanHoose, entitled, "A joint resolution asking Congress to make Lincoln's birthday a national holiday," was taken up for consideration.

Said resolution reads as follows:

A joint resolution asking Congress to make Lincoln's birthday a national holiday

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

That the Congress of the United States be requested to pass an act designating February 12th, 1920, and the same

day of each succeeding year as a national holiday, this being the birthday of one of Kentucky's great sons, Abraham Lincoln.

Be it further resolved, that copies of this resolution be sent to each Senator and Representative of Kentucky in Congress and to the Speaker of the National House of Representatives and the President of the Senate of the United States.

Said resolution was adopted.

Ordered, that said resolution be transmitted to the Senate.

Upon a roll call of the committees for reports, the following committees reported:

By Mr. Morgan, of the Committee on Agriculture:

H. B. 154. An act to amend section 4649 of chapter 122, Kentucky Statutes, relating to the law against stock running at large.

With the expression of opinion that same ought to pass.

By same:

H. B. 1. An act to amend and re-enact section 1780, Kentucky Statutes, Carroll's edition, 1915, relating to farm fences.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By same:

H. B. 15. An act to regulate the standing of male animals for public service, specifying the blood lines of same, requiring registration and providing penalty for violation.

With an amendment thereto.

With the expression of opinion that same ought not to pass.

The Chair stated: "Shall House Bill No. 15 be given its first reading and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

By Mr. Webb, of the Committee on Classification of Cities and Towns:

H. B. 123. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes, volume 3, supplement Carroll's revised edition, 1918, relating to the classification of cities and towns.

With the expression of opinion that same ought to pass with an amendment by way of substitute therefor.

Said bill as amended by substitute was read the first time at length and ordered to be placed in the calendar.

By Mr. Wash, of the Committee on Education No. 1.

H. B. 90. An act to repeal and re-enact subdivision IX of article IV of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, and the amendment thereto as provided in chapter 78 at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918, and relating to the government of cities of the third class and

providing for a system of public schools and the election, qualification, term of office and meetings of the board of education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employes and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the boards of education, limiting the amount of tax that may be levied for school purposes, he submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the board of education, including a secretary and the manner of fixing his salary, the establish-

ment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and ordered to be placed in the calendar.

By Mr. Billiter, of the Committee on Education No. 2.

H. B. 109. An act to amend and re-enact section 26 of chapter 167 of the Acts of 1918, entitled: "An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled: 'An act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith,' approved March 19, 1912."

With the expression of opinion that same ought not to pass.

The Speaker said: "Shall House Bill No. 109 be given its first reading and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Mr. Wash moved to reconsider the vote by which said bill was refused its first reading and that that motion lie on the table.

Said motion was adopted.

Mr. Lazarus offered the following resolution, to wit:

Resolved, that the House of Representatives of the Commonwealth of Kentucky ask the Senate to meet it in joint

session immediately for the purpose of electing a State Librarian.

Mr. Murphy moved to set the election of State Librarian for 11 o'clock a. m. on Thursday, January 29th, 1920.

Said motion was lost.

Then said resolution was adopted.

The Speaker appointed Messrs. Lazarus and Murphy to notify the Senate that said resolution had been adopted and that the House of Representatives is ready to proceed immediately to the election of the State Librarian.

After a while Mr. Lazarus reported that said duty had been performed.

The hour of 12 o'clock having arrived, the House took up for consideration the orders of the day.

The House took up for consideration from the orders of the day a bill entitled, "H. B. 23. An act to amend section 356 of the Kentucky Statutes relating to the fees allowed jailers in counties having within their boundaries cities of the first class."

Said bill was read the third time at length.

Mr. Caudel offered the following amendment to said bill, to wit:

Amend House Bill 23 by striking from the bill in section 1, lines 3, 4 and 5, these words: "Provided, that in counties having within their boundaries cities of the first class the charge per day shall be one dollar and twenty-five cents."

And by striking out the words "Seventy-five cents" in lines 9 and 10 and adding in lieu thereof "one dollar."

And by striking from said bill including the word "provided," in line ten to and including the words "per day" in line 16, and by striking from said bill the whole of sections 3 and 4.

Mr. McLellen moved to recommit said bill and amendment to the Committee on Kentucky Statutes.

Said motion was adopted and it was so ordered.

The House took up for consideration from the orders of the day a bill entitled, "H. B. 25. An act to amend section 1730 of the Kentucky Statutes, providing for the keeping and dieting prisoners in jails of counties having therein cities of the first class."

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 1730, chapter 47, Kentucky Statutes, be, and the same is, hereby amended by adding at the end of the fourth subsection of said section 1730 the following words: "Provided, that in counties having within their boundaries cities of the first class, the charge for keeping and dieting prisoners in jail, when confined for an offense other than a felony or contempt of court, shall be one dollar and twenty-five cents per day, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for the violation of a statute where the city or town gets the benefit of the fine; in that case to be paid by such city or town," so that said section, as amended, is reenacted and shall read as follows:

Section 1730. The fees of the jailers shall be as follows: (See section 356.)

For attending county and quarterly courts, to be paid out of the county levy, per day, not exceeding two ($2.00) dollars.

For furnishing fuel and lights to county and quarterly courts, a reasonable compensation, not exceeding two dollars per day, to be paid out of the county levy.

For putting a prisoner in irons, for an offense other than a felony, or contempt besides the cost of irons, to be paid out of the county levy, fifty cents (50c).

For keeping and dieting prisoners in jail, when confined for an offense other than a felony or contempt of court, 75 cents per day, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for the violation of a statute where the city or town gets the benefit of the fine; in that case to be paid by such city or town; Provided, that in counties having within their boundaries cities of the first class, the charge for keeping and dieting prisoners in jail, when confined for an offense other than a felony or contempt of court, shall be one dollar and twenty-five cents per day, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for the violation of a statute where the city or town gets the benefit of the fine; in that case to be paid by such city or town.

For imprisoning and releasing a prisoner charged with a misdemeanor, sixty cents, to be paid out of the county levy, unless confined for a breach of the by-laws or ordinances of a city or town, or for violation of statute, where the city or town gets the benefit of the fine; in that case, to be paid by such city or town. And for imprisoning and releasing a prisoner charged with a felony, sixty cents, to be paid out of the state treasury. For all other services performed by him the same fees as paid sheriffs.

§ 2. Whereas, it is highly important for the proper and efficient conduct of said jails that said change be effective as early as possible, an emergency is hereby declared to exist,

and this act shall be in effect from the date of its passage and approval by the Governor.

§ 3. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title.

Mr. Wash moved to recommit said bill to the Committee on Kentucky Statues.

At 12:16 p. m. the members of the Senate appeared on the floor of the House in response to the resolution of Mr. Lazarus, adopted this morning, for the purpose of holding a joint session for the election of State Librarian.

The President of the Senate, Hon. Thruston Ballard, called the joint session to order.

A roll call of the two houses to ascertain the presence of a quorum resulted as follows, to wit:

SENATE.

| | | |
|---|---|---|
| Robert Antle | T. T. Gardner | C. S. Nunn |
| H. P. Atwood | Whitsett Hall | S. P. Parks |
| Andrew E. Auxier | Jay W. Harlan | W. A. Perry |
| George Baker | Charles M. Harriss | Allen H. Points |
| J. H. Branstetter | Brig H. Harris | H. H. Sims |
| Newton Bright | J. A. Hinkle | R. C. Simmons |
| H. M. Brock | P. Hogue | M. C. Swinford |
| C. W. Burton | S. L. Marshall | J. Will Stoll |
| Haynes Carter | Jacob Metzger | Thomas Watts |
| B. T. Davis | H. F. Monroe | J. D. Whiteaker |
| Demunbrun, A. A. | H. T. Morris | |
| J. L. Early | White L. Moss | —34 |

HOUSE.

| | | |
|---|---|---|
| Lon Adams | R. O. Huntsman | E. E. Shannon |
| Sidney Alfrey | J. W. Johnson | Dr. B. F. Shields |
| L. H. Ballard | Henry Kaufman | H. G. Skiles |
| H. H. Barnes | Griffin Kelly | S. G. Smith |
| W. T. Beckham | Frank Kennard | H. A. Spillman |
| S. M. Bennett | W. L. Kimbrough | R. Lee Stewart |
| J. M. Billiter | J. M. Knott | Wm. A. Stewart |
| W. M. Boling | Dr. S. D. Laughlin | John T. E. Stites |
| Jo F. Bosworth | Hebron Lawrence | Frank L. Strange |
| Rodney G. Bryson | Joseph Lazarus | T. R. Stults |
| Roy J. Cain | Rev. J. A. Lee | John W. Swope |
| W. T. Carner | Elmer Lusby | John B. Thomas |
| J. F. Carr | R. C. Marcum | J. Mack Thompson |
| T. L. Caudel | I. S. Mason | J. H. Thompson |
| Charles M. Ciarlo | A. J. McCandless | Dr. D. J. Travis |
| A. S. Cooper | R. L. McFerron | C. B. Truesdell |
| B. L. Cox | Homer C. McLellen | John L. Trumbo |
| J. S. Cruse | Harry J. Meyers | J. Wood Vance |
| P. A. Day | Mack J. Morgan | Fred C. VanHoose |
| H. N. Dean | John T. Murphy | Daniel Vose |
| J. B. Denues | Estill W. Neel | Geo. C. Waggoner |
| H. C. Duffy | Chas. A. Nelson | A. M. Wash |
| J. M. Foster | T. P. Oliver | J. S. Webb |
| Dr. T. H. Gamblin | T. C. Pryse | Dr. T. R. Welch |
| J. W. Geveden | S. C. Ray | Gladstone Wesley |
| Dr. W. L. Gossett | B. F. Reynolds | W. G. Wheeler |
| A. L. Hamilton | Sherman Robbins | R. E. Wilborn |
| Talbert Holliday | Lee Rogers | V. M. Williamson |
| D. J. Howard | B. A. Roth | W. N. Winn |
| A. R. Hudson | Dr. Lewis Ryans | Dr. W. S. Yazel |
| Adam W. Huff | Chas. R. Scott | |
| Robt. Humphreys | W. P. Scott | —94 |

The President of the Senate announced that a quorum of the joint session was present.

Senator Hirman Brock, of Harlan county, presented the name of Mrs. Grace Garrett Hendricks, of Winchester, Kentucky, as a suitable person to fill the office of State Librarian.

Said nomination was seconded by Hon. A. S. Cooper, the Representative from the county of Greenup.

Senator Clem S. Nunn presented the name of Frank K. Kavanaugh as a suitable person to fill said office.

Mr. W. T. Beckham, the Representative from the county of Shelby, seconded the nomination of Mr. Kavanaugh.

Mr. G. C. Waggoner also seconded said nomination.

There being no other nomination the President of the Senate directed that a roll call be now had on said nominations.

Said roll call resulted as follows, to wit:

Those who voted for Mrs. Hendricks were—

SENATE.

| | | |
|---|---|---|
| Robert Antle | J. L. Early | S. P. Parks |
| Andrew E. Auxier | Brig H. Harris | H. H. Sims |
| George Baker | P. Hogue | J. Will Stoll |
| J. H. Branstetter | Jacob Metzger | Thomas Watts |
| H. M. Brock | H. T. Morris | |
| A. A. Demunbrun | White L. Moss | —16 |

HOUSE.

| | | |
|---|---|---|
| Sidney Alfrey | Jo F. Bosworth | Charles M. Ciarlo |
| L. H. Ballard | Rodney G. Bryson | A. S. Cooper |
| H. H. Barnes | Roy J. Cain | J. S. Cruse |
| S. M. Bennett | W. T. Carner | H. N. Dean |
| J. M. Billiter | J. F. Carr | J. B. Denues |

| | | |
|---|---|---|
| J. M. Foster | R. L. McFerron | Wm. A. Stewart |
| Dr. T. H. Gamblin | Homer C. McLellen | T. R. Stults |
| Talbert Holliday | Mack J. Morgan | C. B. Truesdell |
| A. R. Hudson | Estill W. Neel | John L. Trumbo |
| Adam W. Huff | T. C. Pryse | Fred C. VanHoose |
| R. O. Huntsman | S. C. Ray | Daniel Vose |
| Henry Kaufman | J. L. Richardson | A. M. Wash |
| W. L. Kimbrough | Sherman Robbins | J. S. Webb |
| Hebron Lawrence | Lee Rogers | Gladstone Wesley |
| Joseph Lazarus | B. A. Roth | R. E. Wilborn |
| R. C. Marcum | Dr. Lewis Ryans | V. M. Williamson |
| I. S. Mason | S. G. Smith | Dr. W. S. Yazell |
| A. J. McCandless | R. Lee Stewart | —53 |

Those who voted for Mr. Kavanaugh were—

SENATE.

| | | |
|---|---|---|
| H. P. Atwood | Whitsett Hall | W. A. Perry |
| Newton Bright | Jay W. Harlan | Allen H. Points |
| C. W. Burton | Charles M. Harriss | Frank Rives |
| Haynes Carter | J. A. Hinkle | R. C. Simmons |
| B. T. Davis | S. L. Marshall | M. C. Swinford |
| T. T. Gardner | C. S. Nunn | J. D. Whittaker |
| | | —18 |

HOUSE.

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | T. P. Oliver |
| W. T. Beckham | J. W. Johnson | B. F. Reynolds |
| W. M. Boling | Griffin Kelly | Chas. R. Scott |
| T. L. Caudel | Frank Kennard | W. P. Scott |
| B. L. Cox | J. M. Knott | E. E. Shannon |
| P. A. Day | Dr. S. D. Laughlin | Dr. B. F. Shields |
| H. C. Duffy | Rev. J. A. Lee | H. G. Skiles |
| J. W. Geveden | Elmer Lusby | H. A. Spillman |
| Dr. W. L. Gossett | Harry J. Meyers | John T. E. Stites |
| A. L. Hamilton | John T. Murphy | Frank L. Strange |
| D. J. Howard | Chas. A. Nelson | John W. Swope |

| | | |
|---|---|---|
| John B. Thomas | Dr. D. J. Travis | Dr. T. R. Welch |
| J. Mack Thompson | J. Wood Vance | W. G. Wheeler |
| J. H. Thompson | Geo. C. Waggoner | W. N. Winn |

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The following pairs were announced:

Senator Miller with Senator Smith; if Senator Smith were present he would vote for Mr. Kavanaugh, and Senator Miller would vote for Mrs. Hendricks.

Senator Monroe with Senator Hon; if Senator Hon were present he would vote for Mr. Kavanaugh, and Senator Monroe would vote for Mrs. Hendricks.

The President of the Senate announced that the result of the joint ballot was as follows, to wit:

For Mrs. Grace Garrett Hendricks, 69.

For Mr. Frank K. Kavanaugh, 60.

And declared that said Mrs. Grace Garrett Hendricks was duly elected State Librarian for the ensuing term, beginning June 8, 1920.

Senator Brock moved that the joint session be now dissolved.

Said motion was adopted.

Then the joint session dissolved and the members of the Senate retired from the House chamber.

The Speaker of the House resumed the chair and the consideration of House Bill No. 25 was again taken up.

The motion of Mr. Wash to recommit said bill was lost.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read for the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | D. J. Howard | Chas. A. Nelson |
| L. H. Ballard | A. R. Hudson | T. P. Oliver |
| H. H. Barnes | Adam W. Huff | T. C. Pryse |
| W. T. Beckham | Robt. Humphreys | S. C. Ray |
| J. M. Billiter | R. O. Huntsman | B. F. Reynolds |
| W. M. Boling | J. W. Johnson | Sherman Robbins |
| Rodney G. Bryson | Henry Kaufman | Lee Rogers |
| Roy J. Cain | Griffin Kelly | B. A. Roth |
| W. T. Carner | Frank Kennard | Chas. R. Scott |
| J. F. Carr | W. L. Kimbrough | W. P. Scott |
| T. L. Caudel | J. M. Knott | E. E. Shannon |
| Charles M. Ciarlo | Dr. S. D. Laughlin | Dr. B. F. Shields |
| A. S. Cooper | Hebron Lawrence | H. G. Skiles |
| B. L. Cox | Joseph Lazarus | S. G. Smith |
| J. S. Cruse | Elmer Lusby | H. A. Spillman |
| P. A. Day | R. C. Marcum | R. Lee Stewart |
| H. N. Dean | I. S. Mason | Wm. A. Stewart |
| J. B. Denues | A. J. McCandless | John T. E. Stites |
| H. C. Duffy | R. L. McFerron | Frank L. Strange |
| J. M. Foster | Homer C. McLellen | T. R. Stults |
| Dr. T. H. Gamblin | Harry J. Meyers | John W. Swope |
| Dr. W. L. Gossett | Mack J. Morgan | J. Mack Thompson |
| A. L. Hamilton | John T. Murphy | J. H. Thompson |
| Talbert Holliday | Estill W. Neel | Dr. D. J. Travis |

| | | |
|---|---|---|
| C. B. Truesdell | Daniel Vose | Gladstone Wesley |
| John L. Trumbo | Geo. C. Waggoner | R. E. Wilborn |
| J. Wood Vance | J. S. Webb | V. M. Williamson |
| Fred C. VanHoose | Dr. T. R. Welch | W. N. Winn |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | A. M. Wash | W. G. Wheeler |

—3

Resolved, that the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Travis offered the following resolution, to wit:

Be it resolved by the House of Representatives that no bill nor bills shall be read into the calendar until said bill or bills are printed and laid upon the desks of the members of this House.

Said resolution was referred to Committee on Rules.

House Bill No. 37, passed by the House, was sent to the Senate.

Mr. Lazarus moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 12:24 p. m., adjourned.

THURSDAY, JANUARY 29, 1920.

House was called to order at 10 a. m. by the Speaker, Mr. Bosworth.

House was opened with prayer by Rev. R. T. Nooe, pastor of the Christian Church, Frankfort, Kentucky.

Upon a roll call to ascertain presence of a quorum, same resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | S. C. Ray |
| Sidney Alfrey | D. J. Howard | B. F. Reynolds |
| L. H. Ballard | A. R. Hudson | Sherman Robbins |
| H. H. Barnes | Adam W. Huff | Lee Rogers |
| S. M. Bennett | J. W. Johnson | B. A. Roth |
| J. M. Billiter | Henry Kaufman | Dr. Lewis Ryans |
| W. M. Boling | Griffin Kelly | Chas. R. Scott |
| Jo F. Bosworth | Frank Kennard | W. P. Scott |
| Rodney G. Bryson | W. L. Kimbrough | E. E. Shannon |
| Roy J. Cain | J. M. Knott | Dr. B. F. Shields |
| W. T. Carner | Dr. S. D. Laughlin | H. G. Skiles |
| J. F. Carr | Hebron Lawrence | S. G. Smith |
| T. L. Caudel | Joseph Lazarus | R. Lee Stewart |
| A. S. Cooper | Rev. J. A. Lee | Wm. A. Stewart |
| J. S. Cruse | R. C. Marcum | John T. E. Stites |
| P. A. Day | I. S. Mason | Frank L. Strange |
| H. N. Dean | A. J. McCandless | T. R. Stults |
| J. B. Denues | R. L. McFerron | John W. Swope |
| H. C. Duffy | Homer C. McLellen | John B. Thomas |
| J. M. Foster | Harry J. Meyers | J. Mack Thompson |
| Dr. T. H. Gamblin | Mack J. Morgan | J. H. Thompson |
| B. J. Goehringer | John T. Murphy | Dr. D. J. Travis |
| J. W. Geveden | Estill W. Neel | C. B. Truesdell |
| Dr. W. L. Gossett | Chas. A. Nelson | John L. Trumbo |
| A. L. Hamilton | T. P. Oliver | J. Wood Vance |

| | | |
|---|---|---|
| Fred C. VanHoose | J. S. Webb | R. E. Wilborn |
| Daniel Vose | Dr. T. R. Welch | V. M. Williamson |
| Geo. C. Waggoner | Gladstone Wesley | W. N. Winn |
| A. M. Wash | W. G. Wheeler | Dr. W. S. Yazell |

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On motion of Mr. Cooper the reading of the Journal for Wednesday, January 28th, was dispensed with and the Journal approved.

The privilege of the floor was extended to Mr. Dover, a former member of the House from Louisville, and to Judge Lyttle.

Mr. Neel offered the following resolution, to wit:

*Be it resolved by the House of Representatives of the Commonwealth of Kentucky*:

That we sincerely express our thanks to the officials and students of the Kentucky Normal and Industrial Institute for their splendid banquet and entertainment served to the members of this House on the evening of January 28th.

We heartily commend the work of this fine institution to the people of Kentucky.

Said resolution was adopted.

Mr. Wheeler moved that House Bill No. 46 be committed to the Committee on Revenue and Taxation.

Upon a division of the House on said motion the vote stood as follows, to wit:

For said motion, 33.

Against said motion, 15.

So the motion was adopted and the bill was referred accordingly.

Mr. Duffy moved that a copy of the resolutions adopted on a former day of this session in regard to the life and public service of Capt. Reuben Hutchcraft be sent to his mother, Mrs. R. V. Hutchcraft.

Said motion was adopted.

On motion of Mr. Waggoner it was ordered that the cloakroom keepers be allowed to install a bootblack's chair in the corner of the cloakroom for the accommodation of the members of the Legislature and other officials.

On motion of Mr. Meyers, Mr. Cooper was granted a leave of absence on account of sickness.

Mr. Lazarus moved that this session be indefinitely extended.

Said motion was adopted.

Prof. J. T. Coates was extended the privilege of the floor.

Bills of the following numbers were delivered to committees to which they had been referred: House Bills Nos. 51, 122, 111, 72, 23, 227, 253, 230, 196, 257, 239, 234, 135, 229, 235, 238, 240, 236, 237, 243, 241, 221, 233, 231, 228, 225, 242 and Senate Bill No. 23.

Upon a roll call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed and referred to the committees indicated:

By Mr. Howard:

H. B. 305. An act to provide further and additional qualifications for grand and petit jurors, in the courts of Kentucky.

To Committee on Public Offices.

By Mr. Adams:

H. B. 306. An act to change the time of holding circuit court in the First Judicial District of Kentucky.

To Committee on Kentucky Statutes.

By Mr. Thompson:

H. B. 307. An act providing for the assessment of domestic fire insurance companies.

To Committee on Insurance, Fire and Marine.

By Mr. Thompson:

H. B. 308. An act requiring the State Tax Commission to prescribe forms to be used by the county clerk in making reports to the Auditor of exonerations.

To Committee on Revenue and Taxation.

By Mr. Pryse:

H. B. 309. An act providing for the forfeiture of oil and gas leases for non-payment of any rental at the time the same shall become due.

To Committee on Kentucky Statutes.

By Mr. Pryse:

H. B. 310. An act to provide for the non-liability of common carriers of crude petroleum by pipe line, except in cases of such carrier disregarding an injunction; to provide for making all persons, firms and corporations, interested in

the subject matter, parties to such litigation; and to fix the burden of proof necessary to sustain an injunction against transportation or delivery.

To Committee on Codes of Practice.

By Mr. Pryse:

H. B. 311. An act to amend and re-enact section 298 of the Civil Code of Practice relating to the appointment of receivers, and to provide for the appointment of receivers, not only as an ancillary remedy in any suit, but also as the main or only remedy in suits by creditors and stockholders of foreign and domestic corporations, and to provide for the continuance of receivers in certain cases for such times as may be proper under the peculiar circumstances of the particular case, and in cases of domestic corporations to provide for the final winding up of their affairs, also providing for the procedure for the granting and discharge of such receivers.

To Committee on Codes of Practice.

By Mr. Travis:

H. B. 312. An act providing for the supervision and equalization of the assessment of property in a county in cases where a county or any part thereof is re-assessed under the directions of the State Tax Commission.

To Committee on Revenue and Taxation.

By Mr. Travis:

H. B. 313. An act to amend and re-enact section 18, chapter 1, Acts of 1917, which is now section 4114i-18, Kentucky Statutes, relating to the duties of the State Tax Commission, and providing for a review of its acts by the courts.

To Committee on Revenue and Taxation.

By Mr. Neel:

H. B. 314. An act requiring all warehouse companies and persons, firms and corporations furnishing storage for personal property to make a report to the county tax commissioner giving information for assessment purposes and providing how such reports shall be prepared and furnished, and how and by whom the taxes based upon such reports shall be paid, and fixing penalties.

To Committee on Revenue and Taxation.

By Mr. Barnes:

H. B. 315. An act to regulate publications printed in foreign languages, to prohibit public speeches in foreign languages, and to repeal subsection 4 of section 13, Kentucky Statutes, relating to printing in German advertisements of sales and prescribing punishment for persons violating the act, including penalty of fine, imprisonment, forfeiture of office and disqualification of any peace officer failing to enforce the same and security for the good behavior of any person convicted hereunder.

To the Committee on Military Affairs.

By Mr. Foster:

H. B. 316. An act to amend section 4 of chapter 112 of the Acts of 1918, which is an act relating to dogs; the promotion of live stock industries, etc.

To Committee on Agriculture.

By Mr. Duffy:

H. B. 317. An act to amend and re-enact paragraphs 1, 2, 3, 4 and 5 of section 3721, chapter 91, of the Kentucky Statutes, Carroll's edition of 1915, and repealing chapter 2 of Acts of 1916, relating to notaries public.

To Committee on Kentucky Statutes.

By Mr. Williamson:

H. B. 318. An act to fix the regular salaries of circuit judges in addition to their compensation as special judges.

To Committee on Circuit Courts.

By Mr. Stults:

H. B. 319. An act entitled an act fixing the rate of toll on turnpike roads.

To Committee on Public Roads and Highways.

By Mr. Wilborn:

H. B. 320. An act to amend section 571, Kentucky Statutes, Carroll's edition, 1915, relative to filing statements by corporations showing places of business and naming authorized agent or agents upon whom process may be served.

To Committee on Corporate Institutions.

By Mr. McLellen:

H. B. 321. An act to amend section 561, Kentucky Statutes, relating to termination of existence of corporates.

To Committee on Corporate Institutions.

By Mr. Lazarus:

H. B. 322. An act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

To Committee on Kentucky Statutes.

Upon a call of the committees for reports the following bills were reported:

By Mr. Pryse, of the Committee on Retrenchment and Reform:

H. B. 80. An act to repeal and re-enact chapter 22B, section 415B, Kentucky Statutes, Carroll's 1915 edition, and all amendments thereto.

By Mr. Roth, of the Committee on Municipalities:

H. B. 138. An act to increase the tax which cities of the first class are authorized to levy for the support of a Municipal University, and for that purpose to amend and re-enact section 1 of chapter 52 of the Acts of the General Assembly of 1916, which was approved by the Governor on March 23rd, 1916, being paragraph 1 of section 2948-A of the Kentucky Statutes, Carroll's 1918 edition.

By same:

H. B. 103. An act to amend and re-enact section 2834, Carroll's Kentucky Statutes, edition of 1915, being section 71

of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893.

By same:

H. B. 101. An act entitled an act to amend section 125c of the Kentucky Statutes, relating to a stenographer for Commonwealth's attorneys in counties of over 200,000, and providing for an increase in salary thereof.

By same:

H. B. 102. An act to amend and re-enact section 2810. Carroll's Kentucky Statutes, edition of 1915, being section 48 of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893, as amended by an act approved Feb. 4th, 1894, and by an act approved March 15, 1912.

By same:

H. B. 137. An act to amend and re-enact Kentucky Statutes, section 2946a-4, 1918 supplement to Carroll's edition, 1915, relating to the salary and expenses of the office of court matron of the police court in cities of the first class.

By same:

H. B. 178. An act to amend and re-enact chapter 115 of the Acts of 1916, being an act entitled, "An act providing a stenographer in the county attorney's office in counties containing cities of the first class."

By Mr. Bryson, of the Committee on Codes of Practice:

H. B. 194. An act to amend and re-enact section 491 of the Civil Code of Practice, relating to the sale of real estate and the reinvestment of the proceeds.

By same:

H. B. 193. An act to amend and re-enact subsection 5 of section 493 of the Civil Code of Practice, relating to reinvestment of the proceeds arising from the sale of real estate and the execution of the bond therefor.

By Mr. Yazell, of the Committee on Public Health:

H. B. 58. An act to amend an act entitled, "An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for the feeble-minded children, and sections 2156 to 2171 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act," which was approved March 26, 1918.

By same:

H. B. 175. An act to amend and re-enact sections 4, 5, 7, 11, 13. Be amended by repealing and inserting such words that such section, as amended and re-enacted, shall read as follows.

By same:

H. B. 45. An act authorizing counties of the State of Kentucky containing cities of the second and third class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance and providing for a training school for nurses in connection therewith.

By same:

H. B. 147. An act to amend section 2625 of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll.

By Mr. Wilborn, of the Committee on Public Printing:

H. B. 149. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to "Public Printing, Binding and Stationery," which is now section 3956, Kentucky Statutes, 1915.

With the expression of opinion that each of said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Mr. Morgan, of the Committee on Agriculture:

H. B. 168. An act placing a bounty upon hawks and owls, fixing the amount thereof and directing the method of payment therefor.

Without an expression of opinion.

Said bill was referred to the Committee on Fish and Game.

By same:

H. B. 210. An act to promote the chicken industry of the Commonwealth; to encourage the breeding and raising of better strains of chickens, by the payment of premiums to the owners and exhibitors of chickens.

Without an expression of opinion.

Mr. Johnson moved that said bill be given its first reading, the report of the committee to the contrary notwithstanding.

Said motion was lost.

Said bill was refused its first reading.

By Mr. Roth, of the Committee on Municipalities:

H. B. 114. An act to prescribe the duties of mayor, chairman—chairman pro tem.—what number shall constitute a quorum of the city council, fixing the liability of members of city council.

With the expression of opinion that same should be referred to Committee on Cities of the Fourth Class.

It was ordered that said bill be so referred.

Mayor Bradley, of Lexington, and ex-Senator Eaton, of Paducah, were extended the privilege of the floor.

W. A. Stewart was granted an indefinite leave of absence.

Mr. John C. Eversole and Mr. ——— Morris were extended the privilege af the floor.

A message was received from the Senate by Senator Brock announcing that the Senate had passed Senate Resolution No. 9, and asking the concurrence of this body therein.

Said resolution is as follows, to wit:

Whereas, the Senate of Kentucky has heretofore passed a resolution authorizing the appointment of a committee to

investigate the charitable and penal institutions of the State, and whereas said committee has been appointed and are now at work, pursuant to said resolution, and whereas it is necessary to defray the expenses of said committee; therefore,

Be it resolved that the Senate, the House of Representatives concurring, hereby appropriate the sum of fifteen hundred dollars, or so much thereof as is necessary for the expenses of said committee, and the members of the Board of Control in making said investigations, and the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasury of Commonwealth of Kentucky for the payment of such sum and at such times as the Sergeant-at-Arms of the Senate shall make requisition for same to said Auditor, provided that the Sergeant-at-Arms of the Senate shall furnish to said Auditor an itemized account of the said expenses at the time said request is made, and said Sergeant-at-Arms shall finally file said itemized statement of the total expense of said committee and Board in the office of the Auditor of Public Accounts.

Whereas, the work of this committee is now in progress, and said expenses necessary for immediate use, therefore an emergency is declared to exist and this resolution shall become effective from and after its passage by the Senate and House of Representatives.

Mr. Lazarus moved to suspend the rules and place said resolution upon its passage.

Said motion was adopted.

The yeas and nays being taken upon the adoption of said resolution resulted as follows, to wit:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. M. Billiter | W. T. Carner |
| Sidney Alfrey | W. M. Boling | J. F. Carr |
| H. H. Barnes | Roy J. Cain | T. L. Caudel |

Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
J. B. Denues
J. M. Foster
Dr. T. H. Gamblin
B. J. Goehringer
Dr. W. L. Gossett
A. L. Hamilton
Talbert Holliday
D. J. Howard
A. R. Hudson
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFerron
Homer C. McLellen
Harry J. Meyers
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
S. C. Ray
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
H. A. Spillman
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stults
John W. Swope
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
W. N. Winn
Dr. W. S. Yazell

—79

There voted in the negative—

H. C. Duffy

—1

So said resolution was concurred in.

Mr. Lazarus moved that the vote by which Senate Resolution No. 9 was concurred in be reconsidered and that that motion lie on the table.

Said motion was adopted.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 7. Joint resolution requesting the Senators and Representatives from Kentucky to use their influence in relieving car shortage in Kentucky, as it affects the production of the Kentucky coal mines.

Whereupon all other business was suspended, said resolution was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 34. An act entitled an act repealing chapter 8, section 125-M 1; section 125-M 2; section 125-M 3; section 125-M 4, Carroll's Kentucky Statutes, 1915 edition, creating the office of detective to be appointed by the Commonwealth's attorney in counties having cities of the second class, and approved March 22, 1918.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 125-M 1, creating the office of detective in cities of the second class be, and is, hereby repealed.

That section 125-M 2, prescribing the duties of detective to the Commonwealth's attorney be, and is, hereby repealed.

That section 125-M 3, prescribing that arrest may be made and progress executed be, and is, hereby repealed.

That section 125-M 4, prescribing the salary and how paid to detective to the Commonwealth's attorney, be, and is, hereby repealed.

Ordered, that said bill be read the third time.

Said bill was read the third time at length and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Geveden | John T. Murphy |
| Sidney Alfrey | Dr. W. L. Gossett | Estill W. Neel |
| L. H. Ballard | Talbert Holliday | Chas. A. Nelson |
| H. H. Barnes | D. J. Howard | S. C. Ray |
| S. M. Bennett | A. R. Hudson | B. F. Reynolds |
| J. M. Billiter | Adam W. Huff | Sherman Robbins |
| W. M. Boling | Robt. Humphreys | Lee Rogers |
| Rodney G. Bryson | R. O. Huntsman | Dr. Lewis Ryans |
| Roy J. Cain | J. W. Johnson | Chas. R. Scott |
| W. T. Carner | Henry Kaufmar | W. P. Scott |
| J. F. Carr | Frank Kennard | E. E. Shannon |
| Charles M. Ciarlo | W. L. Kimbrough | Dr. B. F. Shields |
| A. S. Cooper | J. M. Knott | H. G. Skiles |
| B. L. Cox | Dr. S. D. Laughlin | S. G. Smith |
| J. S. Cruse | Hebron Lawrence | R. Lee Stewart |
| P. A. Day | Joseph Lazarus | John T. E. Stites |
| H. N. Dean | Rev. J. A. Lee | Frank L. Strange |
| J. B. Denues | R. C. Marcum | T. R. Stults |
| H. C. Duffy | I. S. Mason | John W. Swope |
| J. M. Foster | A. J. McCandless | John B. Thomas |
| Dr. T. H. Gamblin | Homer C. McLellen | J. Mack Thompson |
| B. J. Goehringer | Mack J. Morgan | Dr. D. J. Travis |

| | | |
|---|---|---|
| C. B. Truesdell | Geo. C. Waggoner | R. E. Wilborn |
| John L. Trumbo | A. M. Wash | V. M. Williamson |
| J. Wood Vance | J. S. Webb | Dr. W. S. Yazell |
| Fred C. VanHoose | Gladstone Wesley | |
| Daniel Vose | W. G. Wheeler | —79 |

Those who voted in the negative were—

| | | |
|---|---|---|
| A. L. Hamilton | Harry J. Meyers | Dr. T. R. Welch |
| Griffin Kelly | J. H. Thompson | —5 |

Resolved, that the title thereof be as aforesaid.

Mr. Murphy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 49. An act to change and fix the times for holding the terms of circuit court in the Fifth Circuit Court Judicial District of Kentucky (composed of the counties of Henderson, Union and Webster), and declaring an emergency.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the time for holding the terms of circuit court in the Fifth (Circuit Court) Judicial District of Kentucky shall be as follows, to wit:

In Henderson county the Henderson Circuit Court shall be held at Henderson, Kentucky, and the terms of said court shall begin on the first Monday in the months of January and

September of each year and continue, if the business requires it, for forty-eight juridical days in each term. The term beginning the first Monday in May shall continue for thirty juridical days, if the business requires it.

In Union county the Union Circuit Court shall be held at Morganfield, Kentucky, and the terms of said court shall begin in the first Monday in the months of March and November and on the second Monday in the month of June. The terms of said court beginning on the first Monday in March and November shall continue for twenty-four juridical days each term, and the term beginning on the second Monday in the month of June shall continue eighteen juridical days, if the business requires it.

In Webster county the Webster Circuit Court shall be held at Dixon, Kentucky, and the said terms of said court shall begin on the first Monday in the months of April, July and December, and continue, if the business requires it, for twenty- four juridical days in each term.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed. Inasmuch as the time for holding court in one of the counties under the present law comes in the month of June, and in order to have the court held under the provisions of this act, an emergency is declared to exist.

§ 3. This act shall take effect and be in force from and after its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

| | | |
|---|---|---|
| Lon Adams | A. R. Hudson | Chas. R. Scott |
| Sidney Alfrey | Robt. Humphreys | W. P. Scott |
| L. H. Ballard | R. O. Huntsman | E. E. Shannon |
| H. H. Barnes | J. W. Johnson | H. G. Skiles |
| S. M. Bennett | Griffin Kelly | S. G. Smith |
| J. M. Billiter | Frank Kennard | H. A. Spillman |
| W. M. Boling | W. L. Kimbrough | R. Lee Stewart |
| Roy J. Cain | J. M. Knott | John T. E. Stites |
| W. T. Carner | Dr. S. D. Laughlin | Frank L. Strange |
| J. F. Carr | Hebron Lawrence | John W. Swope |
| T. L. Caudel | Joseph Lazarus | John B. Thomas |
| A. S. Cooper | Rev. J. A. Lee | J. Mack Thompson |
| B. L. Cox | R. C. Marcum | J. H. Thompson |
| J. S. Cruse | I. S. Mason | Dr. D. J. Travis |
| P. A. Day | A. J. McCandless | John L. Trumbo |
| H. N. Dean | Homer C. McLellen | J. Wood Vance |
| J. B. Denues | Mack J. Morgan | Fred C. VanHoose |
| H. C. Duffy | John T. Murphy | Daniel Vose |
| J. M. Foster | Estill W. Neel | Geo. C. Waggoner |
| Dr. T. H. Gamblin | Chas. A. Nelson | A. M. Wash |
| J. W. Geveden | S. C. Ray | Dr. T. R. Welch |
| Dr. W. L. Gossett | B. F. Reynolds | Gladstone Wesley |
| A. L. Hamilton | Sherman Robbins | W. G. Wheeler |
| Talbert Holliday | Lee Rogers | V. M. Williamson |
| D. J. Howard | B. A. Roth | W. N. Winn |

—75

Resolved, that the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Robert Humble, a House page, was granted a leave of absence for tomorrow.

Mr. Lazarus asked and was given unanimous consent to introduce a bill as follows, to wit:

By Mr. Lazarus:

H. B. 322. An act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe through its governing authority the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Referred to Committee on Kentucky Statutes.

Mr. Wheeler offered the following motion in writing, to wit:

That House Bill No. 46 be referred to the Committee on Revenue and Taxation, so that all motor vehicle bills may be heard and disposed of together.

Said motion was adopted.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 25, 34 and 49.

Mr. Welch moved that the House do now adjourn.

Said motion was adopted.

Then, at 1:30 p. m., the House adjourned.

FRIDAY, JANUARY 30, 1920.

House was called to order by the Speaker, Mr. Bosworth, at 10 a. m.

House was opened with prayer by Rev. Roger T. Nooe, pastor of the Christian Church, Frankfort, Kentucky.

A roll call to ascertain the presence of a quorum resulted as follows, to wit:

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | S. C. Ray |
| Sidney Alfrey | D. J. Howard | B. F. Reynolds |
| L. H. Ballard | A. R. Hudson | Sherman Robbins |
| H. H. Barnes | Adam W. Huff | Lee Rogers |
| W. T. Beckham | Robt. Humphreys | B. A. Roth |
| S. M. Bennett | J. W. Johnson | Dr. Lewis Ryans |
| J. M. Billiter | Henry Kaufman | Chas. R. Scott |
| Jo F. Bosworth | Griffin Kelly | W. P. Scott |
| Rodney G. Bryson | Frank Kennard | E. E. Shannon |
| Roy J. Cain | W. L. Kimbrough | Dr. B. F. Shields |
| W. T. Carner | J. M. Knott | H. G. Skiles |
| J. F. Carr | Dr. S. D. Laughlin | S. G. Smith |
| T. L. Caudel | Hebron Lawrence | R. Lee Stewart |
| Charles M. Ciarlo | Joseph Lazarus | Wm. A. Stewart |
| A. S. Cooper | Rev. J. A. Lee | John T. E. Stites |
| J. S. Cruse | R. C. Marcum | Frank L. Strange |
| P. A. Day | I. S. Mason | T. R. Stults |
| H. N. Dean | A. J. McCandless | John W. Swope |
| J. B. Denues | R. L. McFerron | John B. Thomas |
| H. C. Duffy | Homer C. McLellen | J. Mack Thompson |
| J. M. Foster | Harry J. Meyers | J. H. Thompson |
| Dr. T. H. Gamblin | Mack J. Morgan | Dr. D. J. Travis |
| B. J. Goehringer | John T. Murphy | C. B. Truesdell |
| J. W. Geveden | Estill W. Neel | John L. Trumbo |
| Dr. W. L. Gossett | Chas. A. Nelson | J. Wood Vance |
| A. L. Hamilton | T. P. Oliver | Fred C. VanHoose |

| | | |
|---|---|---|
| Daniel Vose | Dr. T. R. Welch | V. M. Williamson |
| Geo. C. Waggoner | Gladstone Wesley | W. N. Winn |
| A. M. Wash | W. G. Wheeler | Dr. W. S. Yazell |
| J. S. Webb | R. E. Wilborn | —89 |

On motion of Mr. Roth the reading of the Journal of Thursday, January 29th, was dispensed with and the Journal approved.

Mr. Swope moved that a committee be appointed to draft suitable resolutions in regard to the services of Mr. G. L. Wainscotte in regard to graves of Kentucky soldiers who died in the World War.

Said motion was adopted.

The Speaker appointed as members of said committee Messrs. Swope, Lee and Wash.

Mr. Mason offered a petition signed by W. E. Ellis and many other citizens of Ohio county asking the General Assembly to pass House Bill No. 158.

Said petition was referred to the Committee on Railroads.

The Speaker, Mr. Bosworth, laid before the House an invitation to the General Assembly from the Louisville Board of Trade to attend a banquet to be given by same at such a time as may suit the convenience of the members.

Said invitation was referred to a committee composed of Messrs. ———— to arrange a date.

Mr. Hamilton moved that the calendar be now read and that all bills in the calendar of today be read by their title only.

Said motion was adopted.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 76. An act to prohibit the manufacturing, making, selling, loaning, giving and procuring for another, any decoction containing denatured alcohol as a beverage, and to provide punishment therefor.

H. B. 56. An act making it the duty of school trustees to procure suitable United States flags and cause them to be displayed on school buildings and grounds during school terms.

H. B. 94. An act to amend section seven hundred and sixty-two-a, subsection twenty-two, Kentucky Statutes, of an act entitled, "An act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and cooperate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureau of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates," approved by the Governor March 15, 1916.

H. B. 112. An act to amend and re-enact section 4168, Kentucky Statutes (Carroll's 1915 edition), relating to compensation of sheriffs and collectors.

H. B. 252. An act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

H. B. 253. An act to abolish the department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the offices of State Forester and State Geologist attached hereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the Department of Geology and Forestry as provided for in chapter 35, Acts of 1918, and chapter 59, Kentucky Statutes, Carroll, vol. 3, 1918, section 2007-A, 1 to 2007-G, 31, inclusive.

H. B. 33. An act entitled an act amending section 75 of the Criminal Code of Practice, Carroll's 1919 edition.

H. B. 119. An act to provide for a commission form of government for cities of the fifth and sixth classes, its adoption to be optional with the citizens of such cities, and the judicial and police functions and powers of same to be invested in the county authorities.

H. B. 195. An act providing for oiling of streets and alleys of cities of the fourth and fifth classes of this Commonwealth.

H. B. 136. An act amending and re-enacting section 107 of an act entitled, "An act providing for the creation and regulation of corporations," being chapter 171 of the Acts of 1893, which became a law on April 5, 1893, without the signature of the Governor, and which section is now section 644 of the Kentucky Statutes, Carroll's edition of 1915.

H. B. 53. An act requiring the payment of a license tax by persons, firms, associations and corporations, who for compensation engaged in the business of operating hat and coat racks or check rooms at hotels, restaurants or other places where the public is entertained, where such compensation is contingent upon gratuities.

H. B. 157. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

H. B. 77. An act to abolish the office of State Fire Marshal, and to assign the duties thereof to the sheriffs of the several counties of this Commonwealth.

H. B. 218. An act to create a State Board of Charities and Corrections for the management and supervision of the benevolent, charitable, eleemosynary, correctional and penal institutions of this state; to vest in said board ample powers, including all the powers now vested by law in the State Board of Control and the managers of the House of Reform for girls, and appropriating funds for the maintenance of the State Board of Charities and Corrections.

H. B. 154. An act to amend section 4649 of chapter 122, Kentucky Statutes, relating to the law against stock running at large.

H. B. 1. An act to amend and re-enact section 1780, Kentucky Statutes, Carroll's edition, 1915, relating to farm fences.

H. B. 123. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes, volume 3, supplement Carroll's revised edition, 1916, relating to the classification of cities and towns.

H. B. 58. An act to amend an act entitled, "An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor, and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inclusive, of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Ken-

tucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act," which was approved March 26, 1918.

H. B. 90. An act to repeal and re-enact subdivision IX of article IV of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, and the amendment thereto as provided in chapter 78, at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918, and relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office and meetings of the board of education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employes and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the board of education, limiting the amount of tax that may be levied for school purposes, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in

any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes, and providing for the taking of a census; providing for the choice of officers for the board of education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

H. B. 80. An act to repeal and re-enact chapter 22b, secton 415b, Kentucky Statutes, Carroll's 1915 edition, and all amendments thereto.

H. B. 138. An act to increase the tax which cities of the first class are authorized to levy for the support of a Municipal University, and for that purpose to amend and re-enact section 1 of chapter 52 of the Acts of the General Assembly of 1916,which was approved by the Governor on March 23, 1916, being paragraph 1 of section 2948-A of the Kentucky Statutes, Carroll's 1918 edition.

H. B. 103. An act to amend and re-enact section twenty-eight hundred and thirty-four (2834), Carroll's Kentucky Statutes, edition of 1915, being section seventy-one (71) of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893.

H. B. 101. An act entitled, An act to amend section 125c of the Kentucky Statutes, relating to a stenographer for Commonwealth's attorney in counties of over 200,000, and providing for an increase in salary thereof.

H. B. 102. An act to amend and re-enact section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, edition of 1915, being section forty-eight (48) of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893, as amended by an act approved Feb. 4th, 1894, and by an act approved March 15, 1912.

H. B. 137. An act to amend and re-enact Kentucky Statutes, section 2946A-4, 1918, supplement to Carroll's edition, 1915, relating to the salary and expenses of the office of court matron of the police court in cities of the first class.

H. B. 178. An act to amend and re-enact chapter 115 of the Acts of 1916, being an act entitled, "An act providing a stenographer in the county attorney's office in counties containing cities of the first class."

H. B. 194. An act to amend and re-enact section 491 of the Civil Code of Practice, relating to the sale of real estate and the re-investment of the proceeds.

H. B. 193. An act to amend and re-enact subsection five of section 493 of the Civil Code of Practice relating to reinvestment of the proceeds arising from the sale of real estate and the execution of the bond therefor.

H. B. 175. An act to amend and re-enact sections 4, 5, 7, 11, 13 be amended by repealing and inserting such words that such sections as amended and re-enacted shall read as follows.

H. B. 45. An act authorizing counties of the State of Kentucky containing cities of the second and third class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance

and providing for a trained school for nurses in connection therewith.

H. B. 147. An act to amend section 2625 of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll.

H. B. 149. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to "Public Printing, Binding and Stationery," which is now section 3956 Kentucky Statutes, 1915.

Ordered, that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

Upon call of committees for reports the following bills were reported:

By Mr. Murphy, of the Committee on Agriculture:

H. B. 209. An act relating to revenue and taxation; amending an act of May 2, 1917, entitled, "An act relating to revenue and taxation," which same is section 4019a-5, Kentucky Statutes, 1918.

By Mr. Vose, of the Committee on Corporate Institutions:

Senate Bill 23. An act to amend and re-enact section 561, Kentucky Statutes, Carroll's edition, 1915, relating to the termination of the existence of corporations, by providing that a declaration of such termination shall be filed in the office of the Secretary of State.

By Mr. Marcum, of the Committee on County and City Courts:

H. B. 230. An act to amend section 2022 of the Kentucky Statutes (Carroll's 1915 edition), by adding at the end of said section the words, "Provided, however, that if the parents of the minor be living, the court shall summon them to appear and ascertain whether or not the person nominated is a competent person to be guardian for said minor," and re-enact the same.

By Mr. Wash, of the Committee on Education No. 1.

H. B. 151. An act requiring persons listing property for taxation to show whether the same or any part thereof is located in a graded school district.

By same:

H. B. 228. An act in relation to 798 shares of stock held by the State Board of Education of the Commonwealth of Kentucky in the National Bank of Kentucky, and authorizing its exchange for stock in the National Bank of Kentucky, which was consolidated with the National Bank of Commerce and the American Southern National Bank, in the proportion of .6079 shares of new stock in the consolidated bank to each share of stock in the old bank, and a cash bonus on each share of the old stock in addition thereto, and authorizing the Sinking Fund Commissioners to invest the cash received from said exchange in bonds of the United States.

By Mr. Carr, of the Committee on Education No. 2.

H. B. 163. An act to provide for teaching the art of debating in the public and high schools of the Commonwealth and to require teachers to be examined on that subject.

By same:

H. B. 150. An act to repeal section 3, chapter 130, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the county board of education and fixing the minimum salary of teachers.

By same:

H. B. 191. An act empowering the boards of education of graded school districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

By Mr. Mason, of the Committee on Military Affairs:

H. B. 124. An act to provide for the American Creed to be read in school.

By same:

H. B. 159. An act to repeal and re-enact section 2711, subsections a-5 and a-54, chapter 86, Carroll's 1915 edition, Kentucky Statutes, volume 3, being subsections 5 and 54 of chapter 43 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled, "An act to provide for the organization, armanent, equipment, discipline and government of the militia."

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 104. An act defining optometry, creating and establishing the Kentucky Board of Examiners in Optometry, its duties and powers, providing for the examination, licensing and registering of persons to practice Optometry, for the revocation and suspension of such licenses, for the registering of students in Optometry and providing penalties for violations thereof.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 41. An act to repeal sections 2 and 5 of chapter 11, which is an act entitled, "An act to abolish the assessor's office and provide in lieu thereof a county tax commission, and the duties of taxpayers in relation thereto.

Each of said bills was reported with the expression of opinion that same ought to pass and each bill was read at length the first time and ordered to be placed in the calendar.

By Mr. Stults, of the Committee on Appropriations:

H. Res. 20. To increase the pay of pages.

Without expression of opinion.

By unanimous consent of the House this resolution was withdrawn by its author, Mr. Lee.

By Mr. Vose, of the Committee on Corporate Institutions:

H. B. 213. An act to amend and re-enact sections 543 and 4225, Kentucky Statutes, relating to the capital stock of corporations.

With the expression of opinion that same ought not to pass.

Said bill was refused its first reading.

By Mr. Marcum, of the Committee on County and City Courts:

H. B. 28. An act to amend section 1840 of the Kentucky Statutes, Carroll's edition, 1915, relating to the jurisdiction and powers of the fiscal court.

With the expression of opinion that same ought not to pass.

Said bill was refused its first reading.

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

H. B. 181. An act to prohibit and provide penalties for the manufacture, sale, transportation or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

Said bill was read at length the first time and ordered to be placed in the calendar.

On motion of Mr. Howard it was ordered that the substitute for House Bill No. 181 be printed.

By Mr. Wash, of the Committee on Education No. 1:

H. B. 185. An act to repeal sections 177, 178, 183, 185 and 186 of the common school laws, the same being sections 4501, 4502, 4502a-4 and 4503 respectively of the Kentucky Statutes, Carroll's edition, 1915, and to enact the following in lieu thereof.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

Said bill was read at length the first time and ordered to be placed in the calendar.

On motion of Mr. Wash it was ordered that the substitute for House Bill No. 185 be printed.

Mr. Neel moved that House Bill No. 104, favorably reported today, be referred to the Committee on Public Health.

Said motion was lost.

Mr. Laughlin indicated that the hour of twelve o'clock had arrived and under the rules the House should now proceed to the consideration of the orders of the day.

Thereupon the House took up for consideration from the calendar bills of the following titles, to wit:

H. B. 16. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

Before the consideration of House Bill No. 16 was completed Mr. Roth asked unanimous consent for the introduction of bills.

Said consent was granted.

The following bills were introduced, ordered to be printed and referred to the committees indicated:

By Mr. Roth:

H. B. 323. An act relating to vehicles; regulating their use and operation upon the public highways in this Commonwealth; providing for the registration of automobiles, and the registration of operators thereof; the method of registration; to prevent illegal traffic therein; providing penalties for the violations of provisions of the act, and repealing any and all conflicting laws:

To Committee on Revenue and Taxation.

By Mr. Ballard:

H. B. 324. An act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

To Committee on Education No. 2.

By Mr. Lawrence:

H. B. 325. An act to repeal, amend and re-enact subsection 5 of section 1403, Carroll's edition, 1915, Kentucky Statutes, relating to descent and distribution of personal property.

To Committee on Codes of Practice.

By Mr. Waggoner:

H. B. 326. An act to amend section 1155, Kentucky Statutes, Carroll's edition, 1915, relating to unlawful sexual intercourse with minors under eighteen years of age, including both sexes and grading penalties according to age of complaining witness.

To Committee on Criminal Law.

By Mr. Thompson:

H. B. 327. An act prescribing a method for the assessment of real estate for taxation after same has been sold for taxes and before it is redeemed.

To Committee on Revenue and Taxation.

By Mr. Stewart:

H. B. 328. An act making it a misdemeanor to graze any kind of live stock on any portion of the grounds surrounding

the State Capitol, and owned by the State, and fixing the punishment therefor.

To Committee on State Capitol.

By Mr. Smith:

H. B. 329. An act to repeal and re-enact section 2 of an act approved March 29th, 1918, entitled an act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still, and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

To Committee on Alcoholic Liquor Traffic.

By Mr. Wash:

H. B. 330. An act to regulate the operation of pool and billiard rooms.

To Committee on Kentucky Statutes.

By Mr. Bennett:

H. B. 331. An act to exempt from taxation all maimed soldiers and all maimed persons whose income is less than fifteen hundred dollars per year, who are citizens of this State at the time of the passage of this act, provided such persons shall pay a property tax on all property owned by them in excess of fifteen hundred dollars.

To Committee on Revenue and Taxation.

By Mr. Laughlin:

H. B. 332. An act to inculcate habits of thrift and industry in public and high schools.

To Committee on Education No. 1.

Mr. Meyers moved that the House do now adjourn until Monday, February 2nd, 1920, at one o'clock p. m.

Said motion was adopted.

Then the House, at 12:20 p. m., adjourned.

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MONDAY, FEBRUARY 2, 1920.

The House was called to order by the Speaker, Mr. Bosworth, at 1:00 p. m.

The House was opened with prayer by Rev. M. S. Clark, pastor of the Methodist Church, Frankfort, Kentucky.

The roll call to ascertain the presence of a quorum resulted as follows:

| | | |
|---|---|---|
| Lon Adams | T. L. Caudel | A. L. Hamilton |
| Sidney Alfrey | Charles M. Ciarlo | E. C. Hardin |
| L. H. Ballard | B. L. Cox | Talbert Holliday |
| H. H. Barnes | J. S. Cruse | D. J. Howard |
| W. T. Beckham | P. A. Day | A. R. Hudson |
| S. M. Bennett | H. N. Dean | Robt. Humphreys |
| J. M. Billiter | J. B. Denues | J. W. Johnson |
| Jo F. Bosworth | H. C. Duffy | Henry Kaufman |
| Rodney G. Bryson | J. M. Foster | Griffin Kelly |
| Roy J. Cain | Dr. T. H. Gamblin | Frank Kennard |
| W. T. Carner | J. W. Geveden | W. L. Kimbrough |
| J. F. Carr | Dr. W. L. Gossett | Dr. S. D. Laughlin |

| | | |
|---|---|---|
| Hebron Lawrence | Sherman Robbins | Dr. D. J. Travis |
| Joseph Lazarus | Lee Rogers | C. B. Truesdell |
| Rev. J. A. Lee | B. A. Roth | John L. Trumbo |
| R. C. Marcum | Dr. Lewis Ryans | J. Wood Vance |
| I. S. Mason | Chas. R. Scott | Fred C. VanHoose |
| A. J. McCandless | W. P. Scott | Daniel Vose |
| R. L. McFerron | S. G. Smith | Geo. C. Waggoner |
| Homer C. McLellen | R. Lee Stewart | A. M. Wash |
| Claude D. Minor | Wm. A. Stewart | J. S. Webb |
| Mack J. Morgan | John T. E. Stites | Gladstone Wesley |
| Estill W. Neel | Frank L. Strange | W. G. Wheeler |
| Chas. A. Nelson | T. R. Stults | R. E. Wilborn |
| T. P. Oliver | John W. Swope | W. N. Winn |
| S. C. Ray | J. Mack Thompson | Dr. W. S. Yazell |
| B. F. Reynolds | J. H. Thompson | —80 |

On motion of Mr. Lazarus the reading of the Journal of Friday, January 30, 1920, was dispensed with and the Journal approved.

On motion of Mr. Barnes the following memorandum in regard to the University of Kentucky was ordered to be printed in the Journal, to wit:

MEMORANDUM.

Financial Means of the University of Kentucky for the Biennial Period.

*General Statement.*

The conduct of the University is now provided for in a one and three-quarters tax, which yielded this past year approximately $300,000, and is likely to yield $350,000 this coming year. Changes in conditions have made it necessary to supplement this amount, if there is to be any construction to meet the demand for dormitories and the purchase of new equipment in the Engineering College. If the University can be relieved from these charges it can pay additional salaries to its instructors out of the funds referred to above.

The second need is the continuance of the annual appropriation of $50,000 for the conduct of the Experiment Station.

The third need of the University relates to the Smith-Lever Act. Under the provisions of this legislation, the State of Kentucky receives approximately $100,000 a year from the Federal government, with the understanding that a similar sum should be provided by the State. Under the provisions of an act passed March 15, 1916, $62,000 a year was appropriated for this purpose. The sum, however, increases each year until 1923, when it reaches its maximum. Specific requirements for this fund are set forth below.

*General University Needs.*

Supplementary funds needed by the University are as follows: For the purchase of engineering equipment, as set forth in the report of the Board of Trustees to the Governor and Legislature, $35,000 annually. Second, for the enlargement of agricultural instruction in the College of Agriculture, $35,000 annually. Third, for the construction of two dormitories, $130,000 annually. The total sum, therefore, required for the general needs of the University is $200,000 annually.

*Experiment Station.*

For a number of years the Experiment Station received an annual appropriation of $50,000. This appropriation was affected by the Budget Commission bill; hence it is necessary to make provision for its continuance. Without it the Station could not operate.

*Agricultural Extension.*

The Federal appropriation for Agricultural Extension for the year ending June 30, 1921, to be offset dollar for dollar, $108,959; for the fiscal year ending June 30, 1922,

$126,528. In order to meet this, it will be necessary to appropriate the sum of $20,494 additional to the $62,000 appropriated March 15, 1916, for the year ending June 30, 1921, and the sum of $38,067 for the year ending June 30, 1922, and the sum of $38,067 annually thereafter. There will be a balance June 30, 1920, of $26,461, leaving the sum of $20,494 to be appropriated for the year ending June 30, 1921, and in the year following one-half of the balance carried for the year ending June 30, 1920, which is $26,491.67, leaving the sum of $38,067 to be appropriated for the year ending June 30, 1922.

*Summary.*

1. Smith-Lever funds to match Federal funds additional to $62,000 annual appropriation—
   - a 1921 ..... $20,494
   - b 1922 ..... 38,067
   - c 1923 ..... 38,067
2. Experiment Station—
   - a Annual appropriation ..... 50,000
3. General University—
   - a For purchase engineering equipment 1921 ..... 35,000
     For 1922 ..... 35,000
   - b Agricultural Instruction University 1921 ..... 35,000
     For 1922 ..... 35,000
   - c Dormitories 1921 ..... 130,000
     Dormitories 1922 ..... 130,000

*Conclusion.*

In order to continue the extension work and to secure moneys from the Federal government, it is necessary to make appropriation to the University of Kentucky in accordance with the statements made above.

The other needs of the University are just as great. We cannot raise salaries unless we are relieved from construction

and the purchase of equipment, and further than that, the need of enlargement of agricultural instruction is very great indeed. This matter has been discussed in the report made to the Governor and Legislature. A copy of this report is attached to this memorandum.

F. L. McVey,
*President University of Kentucky.*

An indefinite leave of absence was granted to Messrs. Cooper, Knott, Meyers, Shannon, Spillman, Shields and Williamson.

The following bills were delivered to committees:

House Bills Nos. 261, 127, 246, 247, 217, 252, 260, 248, 249, 262, 226, 251, 254, 255, 245, 256, 146, 114, 325, 265, 322, 263, 258, 259, 250, 319, 318, 316, 264, 305, 266, 307, 324, 326, 310, 306, 309, 276, 283, 282, 289, 293, 298, 273, 280, 294, 291, 300, 285, 303, 269, 281, 270, 279, 268, 292, 295, 301, 278, 275, 288, 290, 271, 299, 272, 304. 317, 312, 267, 314, 313, 311, 274, 296, 286, 332, 308, 331, 297, 287, 277, 329, 302, 330.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 16. An act to amend section nine hundred and sixty-five Kentucky Statutes, relating to circuit courts in the Nineteenth Judicial District.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section nine hundred and sixty-five of the Kentucky Statutes, in so far as it relates to the Nineteenth Circuit Court District, be, and the same is, hereby amended

by striking from said section all that part which relates to the time of holding courts in the Nineteenth Circuit Court District, and inserting in lieu thereof the following:

Nineteenth District—Mason county, at Maysville, on first Monday in September, first Monday in December and fourth Monday in March, and continue each for thirty-six juridical days. Fleming county, at Flemingsburg, on third Monday in October, on third Monday in January, to continue each for eighteen juridical days, and on the second Monday in May, and continue for twenty-four juridical days. Bracken county, at Brooksville, on second Monday in November, on the first Monday in March and the second Monday in June, and contiue each for eighteen juridical days.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | B. L. Cox | E. C. Hardin |
| Sidney Alfrey | J. S. Cruse | D. J. Howard |
| L. H. Ballard | P. A. Day | A. R. Hudson |
| H. H. Barnes | H. N. Dean | Adam W. Huff |
| W. T. Beckham | J. B. Denues | Robt. Humphreys |
| Rodney G. Bryson | H. C. Duffy | J. W. Johnson |
| Roy J. Cain | J. M. Foster | Henry Kaufman |
| W. T. Carner | Dr. T. H. Gamblin | Griffin Kelly |
| J. F. Carr | J. W. Geveden | Frank Kennard |
| T. L. Caudel | Dr. W. L. Gossett | W. L. Kimbrough |
| Charles M. Ciarlo | A. L. Hamilton | Dr. S. D. Laughlin |

| | | |
|---|---|---|
| Hebron Lawrence | S. C. Ray | J. H. Thompson |
| Joseph Lazarus | B. F. Reynolds | Dr. D. J. Travis |
| Rev. J. A. Lee | Sherman Robbins | C. B. Truesdell |
| R. C. Marcum | Lee Rogers | John L. Trumbo |
| I. S. Mason | B. A. Roth | J. Wood Vance |
| A. J. McCandless | W. P. Scott | Fred C. VanHoose |
| R. L. McFerron | S. G. Smith | Daniel Vose |
| Homer C. McLellen | R. Lee Stewart | Geo. C. Waggoner |
| Claude D. Minor | Wm. A. Stewart | A. M. Wash |
| Mack J. Morgan | John T. E. Stites | J. S. Webb |
| Estill W. Neel | Frank L. Strange | Gladstone Wesley |
| Chas. A. Nelson | T. R. Stults | W. G. Wheeler |
| T. P. Oliver | John W. Swope | R. E. Wilborn |
| T. C. Pryse | J. Mack Thompson | Dr. W. S. Yazell |

—75

Resolved, that the title thereof be as aforesaid.

Mr. Laughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 108. An act to amend section 4019a-9 of the Kentucky Statutes, edition of 1918, being section 9, chapter 11, of Session Acts of 1917, approved May 2, 1917.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That section 4019a-9 of the Kentucky Statutes, edition of 1918, being section 9, chapter 11, Session Acts of 1917, approved May 2, 1917, be amended by striking from the con-

clusion of said section, the words, "and provided, however, the provisions of this section shall not apply to mortgages executed to building and loan associations," and inserting the words, "and provided, however, the provisions of this section shall not apply to mortgages or lien debts, payable in weekly or monthly installments, or in other relatively small periodic dues, where any of the installments or dues mature after five years," so that said section, as amended, shall read as follows:

The word "mortgage" as used in this section shall include any instrument creating or evidencing a lien of any kind upon property given or taken as security for debt and shall include vendors' liens and executory contracts for the sale of property under which the vendor is entitled to the possession thereof.

A tax of twenty (20) cents is hereby imposed upon each one hundred dollars ($100.00) or fraction thereof of indebtedness which is, or may be, in any contingency secured by any mortgage of property in this State, which mortgage shall be lodged for record after this act goes into effect where the indebtedness does not mature within five years. If any such mortgage includes property outside of the State, such tax shall be imposed upon such proportion of the whole debt secured thereby as the value of the property in this State included therein bears to the whole of the property included therein. The county clerk first receiving such instrument for record shall determine the amount of such tax from affidavits of the mortgagor or its officers as to such proportionate value or from other satisfactory evidence.

If a mortgage is made to a mortagee in trust to secure the payment of bonds or other obligations to be issued thereafter, a statement may be incorporated therein of the amount and description of such obligations already issued or to be issued forthwith, and the tax to be paid on filing such mortgage for record or registration shall be computed upon the amount so stated. Such statements shall be binding and con-

clusive upon all persons claiming through or under the mortgage, and no additional obligations shall be issued or certified by the trustee until the additional tax thereon shall have been paid and the receipt of the proper county clerk issued therefor and recorded upon the margin of the record of said mortgage.

If any such mortagor shall issue or if any such trustee shall certify or aid in the issuance of any such obligations without the payment of the tax as herein provided, they shall each be subject to a penalty of five times the amount of such tax that should have been paid.

The tax imposed by this act shall be paid to the clerk of the county court in whose office said mortgage is first lodged for record at or before the time of lodging same for record. The clerk shall thereupon endorse his receipt upon said instrument and such receipt shall be recorded with said instrment and shall be conclusive proof of the payment of said tax and shall authorize the further record of such instrument in any other county without repayment of such tax. The form of such receipt shall be in substance: "Recording tax herein of ..... dollars paid."

The clerk on or before the tenth day of each month (shall) transmit to the Auditor the amount of such taxes collected by him within the preceding calendar month, less the amount of his commissions now allowed him on collections of revenue. And the entire revenue from the mortgage recording tax shall be credited to the sinking fund.

The recording tax herein provided shall be in addition to the annual tax for State purposes provided in the preceding sections of this act; provided, however, the recording tax herein provided shall be the only tax paid on mortgages beneficially owned by persons or corporations not resident in this State; and provided, however, the provisins of this section shall not apply to mortgages or lien debts, payable in weekly or monthly installments, or in other relatively small periodic

dues, where any of the installments or dues mature after five years.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | E. C. Hardin | Estill W. Neel |
| Sidney Alfrey | Talbert Holliday | Chas. A. Nelson |
| L. H. Ballard | D. J. Howard | T. P. Oliver |
| H. H. Barnes | A. R. Hudson | T. C. Pryse |
| W. T. Beckham | Adam W. Huff | S. C. Ray |
| S. M. Bennett | Robt. Humphreys | B. F. Reynolds |
| J. M. Billiter | J. W. Johnson | Sherman Robbins |
| Rodney G. Bryson | Henry Kaufman | Lee Rogers |
| Roy J. Cain | Griffin Kelly | B. A. Roth |
| W. T. Carner | Frank Kennard | Dr. Lewis Ryans |
| T. L. Caudel | W. L. Kimbrough | W. P. Scott |
| Charles M. Ciarlo | Dr. S. D. Laughlin | S. G. Smith |
| B. L. Cox | Hebron Lawrence | R. Lee Stewart |
| J. S. Cruse | Joseph Lazarus | Wm. A. Stewart |
| P. A. Day | Rev. J. A. Lee | John T. E. Stites |
| H. N. Dean | R. C. Marcum | Frank L. Strange |
| J. B. Denues | I. S. Mason | T. R. Stults |
| H. C. Duffy | A. J. McCandless | John W. Swope |
| J. M. Foster | R. L. McFerron | J. Mack Thompson |
| Dr. T. H. Gamblin | Homer C. McLellen | J. H. Thompson |
| J. W. Geveden | Harry J. Meyers | Dr. D. J. Travis |
| Dr. W. L. Gossett | Claude D. Minor | C. B. Truesdell |
| A. L. Hamilton | Mack J. Morgan | John L. Trumbo |

| | | |
|---|---|---|
| J. Wood Vance | A. M. Wash | R. E. Wilborn |
| Fred C. VanHoose | J. S. Webb | Dr. W. S. Yazell |
| Daniel Vose | Gladstone Wesley | |
| Geo. C. Waggoner | W. G. Wheeler | —79 |

Resolved, that the title thereof be as aforesaid.

Mr. Hudson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

House Bill No. 49, passed by the House, was sent to the Senate.

Mr. Lazarus moved that the bills in the orders of the day be read the third time by their titles only.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 66. An act to make and constitute "Armistice Day," the eleventh day of November in each year a legal holiday, and providing for the observance thereof.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the eleventh day of November, in the year 1920, and in each subsequent year, being the anniversary of the signing of the armistice terminating hostilities between the United States and its enemies, be made and constituted a legal holiday to be known as Armistice Day.

§ 2. All banks and all public offices of the state, and of every county, city and district, shall be closed on Armistice Day for all purposes. All schools shall celebrate Armistice Day with appropriate ceremonies to be prescribed by the State Board of Education. All work, labor and merchandising, except of necessity or charity shall be suspended on Armistice Day.

Mr. Minor offered the following amendment:

Amend House Bill No. 66 by striking out all of section 2 thereof.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | T. L. Caudel | J. W. Geveden |
| Sidney Alfrey | Charles M. Ciarlo | A. L. Hamilton |
| W. T. Beckham | B. L. Cox | E. C. Hardin |
| S. M. Bennett | J. S. Cruse | Talbert Holliday |
| J. M. Billiter | P. A. Day | D. J. Howard |
| Rodney G. Bryson | H. N. Dean | A. R. Hudson |
| Roy J. Cain | J. B. Denues | Adam W. Huff |
| W. T. Carner | J. M. Foster | Robt. Humphreys |
| J. F. Carr | Dr. T. H. Gamblin | J. W. Johnson |

| | | |
|---|---|---|
| Henry Kaufman | S. C. Ray | J. H. Thompson |
| Griffin Kelly | B. F. Reynolds | Dr. D. J. Travis |
| Frank Kennard | Sherman Robbins | C. B. Truesdell |
| Dr. S. D. Laughlin | Lee Rogers | John L. Trumbo |
| Hebron Lawrence | B. A. Roth | J. Wood Vance |
| Joseph Lazarus | Dr. Lewis Ryans | Fred C. VanHoose |
| Rev. J. A. Lee | W. P. Scott | Daniel Vose |
| R. C. Marcum | S. G. Smith | A. M. Wash |
| I. S. Mason | R. Lee Stewart | J. S. Webb |
| A. J. McCandless | Wm. A. Stewart | Dr. T. R. Welch |
| Homer C. McLellen | John T. E. Stites | Gladstone Wesley |
| Harry J. Meyers | Frank L. Strange | W. G. Wheeler |
| Claude D. Minor | John W. Swope | R. E. Wilborn |
| Estill W. Neel | John B. Thomas | Dr. W. S. Yazell |
| T. P. Oliver | J. Mack Thompson | —71 |

Those who voted in the negative were—

| | | |
|---|---|---|
| L. H. Ballard | W. L. Kimbrough | T. R. Stults |
| H. C. Duffy | Mack J. Morgan | |
| Dr. W. L. Gossett | Chas. A. Nelson | —7 |

Resolved, that the title thereof be as aforesaid.

Mr. Hamilton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 76. An act to prohibit the manufacturing, making, selling, loaning, giving, and procuring for another, any decoction containing denatured alcohol as a beverage and to provide punishment therefor.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. It shall be unlawful for any person to manufacture, to make, to sell, loan, give or procure for another, any decoction containing denatured alcohol as a beverage, and any person violating this act shall be confined in the penitentiary for any time not less than one year nor more than five years in the discretion of the jury.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Pryse offered the following amendment:

By striking out the words in section 1, "one year nor more than five years," and inserting therefor the words "for five years nor more than twenty years."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | H. H. Barnes | J. M. Billiter |
| Sidney Alfrey | W. T. Beckham | Roy J. Cain |
| L. H. Ballard | S. M. Bennett | W. T. Carner |

| | | |
|---|---|---|
| J. F. Carr | Dr. S. D. Laughlin | Wm. A. Stewart |
| B. L. Cox | Hebron Lawrence | John T. E. Stites |
| J. S. Cruse | Joseph Lazarus | Frank L. Strange |
| P. A. Day | Rev. J. A. Lee | T. R. Stults |
| J. B. Denues | R. C. Marcum | John W. Swope |
| J. M. Foster | I. S. Mason | J. Mack Thompson |
| Dr. T. H. Gamblin | A. J. McCandless | J. H. Thompson |
| J. W. Geveden | Homer C. McLellen | Dr. D. J. Travis |
| Dr. W. L. Gossett | Claude D. Minor | C. B. Truesdell |
| A. L. Hamilton | Mack J. Morgan | John L. Trumbo |
| E. C. Hardin | Estill W. Neel | J. Wood Vance |
| Talbert Holliday | Chas. A. Nelson | Fred C. VanHoose |
| D. J. Howard | T. P. Oliver | Daniel Vose |
| A. R. Hudson | T. C. Pryse | Geo. C. Waggoner |
| Adam W. Huff | S. C. Ray | A. M. Wash |
| Robt. Humphreys | B. F. Reynolds | J. S. Webb |
| R. O. Huntsman | Sherman Robbins | Dr. T. R. Welch |
| J. W. Johnson | Lee Rogers | Gladstone Wesley |
| Henry Kaufman | B. A. Roth | W. G. Wheeler |
| Griffin Kelly | W. P. Scott | R. E. Wilborn |
| Frank Kennard | S. G. Smith | Dr. W. S. Yazell |
| W. L. Kimbrough | R. Lee Stewart | —74 |

Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 56. An act making it the duty of school trustees to procure suitable United States flags and cause them to be displayed on school buildings and grounds during school terms.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That it shall be the duty of the trustees of each common school subdistrict and of the trustees of each graded common school and of each high school in this Commonwealth to provide and at all times keep for the use of the school of which they are trustees, a suitable United States flag, and to cause the same to be displayed in some conspicuous place on the school building or grounds at all proper times during the entire school terms in their respective districts.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | Estill W. Neel |
| Sidney Alfrey | A. R. Hudson | T. C. Pryse |
| W. T. Beckham | Robt. Humphreys | S. C. Ray |
| S. M. Bennett | R. O. Huntsman | B. F. Reynolds |
| J. M. Billiter | Henry Kaufman | Sherman Robbins |
| Roy J. Cain | Dr. S. D. Laughlin | B. A. Roth |
| W. T. Carner | Hebron Lawrence | W. P. Scott |
| J. F. Carr | Joseph Lazarus | R. Lee Stewart |
| T. L. Caudel | Rev. J. A. Lee | Wm. A. Stewart |
| B. L. Cox | A. J. McCandless | John T. E. Stites |
| A. L. Hamilton | R. L. McFerron | Frank L. Strange |
| E. C. Hardin | Claude D. Minor | John W. Swope |

| | | |
|---|---|---|
| J. Mack Thompson | J. Wood Vance | Dr. T. R. Welch |
| J. H. Thompson | Fred C. VanHoose | Gladstone Wesley |
| Dr. D. J. Travis | Geo. C. Waggoner | W. G. Wheeler |
| C. B. Truesdell | A. M. Wash | R. E. Wilborn |
| John L. Trumbo | J. S. Webb | Dr. W. S. Yazell |

—51

Those who voted in the negative were—

| | | |
|---|---|---|
| L. H. Ballard | Dr. T. H. Gamblin | R. C. Marcum |
| H. H. Barnes | J. W. Geveden | I. S. Mason |
| Rodney G. Bryson | Dr. W. L. Gossett | Mack J. Morgan |
| Charles M. Ciarlo | Talbert Holliday | Chas. A. Nelson |
| P. A. Day | Adam W. Huff | T. P. Oliver |
| H. N. Dean | J. W. Johnson | Lee Rogers |
| J. B. Denues | Griffin Kelly | S. G. Smith |
| H. C. Duffy | Frank Kennard | T. R. Stults |
| J. M. Foster | W. L. Kimbrough | Daniel Vose |

—27

Resolved, that the title thereof be as aforesaid.

Mr. Welch moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then the House took up for consideration from the orders of the day House Bill No. 97.

Mr. Lawrence moved to allow said bill to remain in the orders of the day until the author, Mr. Huntsman, shall be present.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 119. An act to provide for a commission form of government for cities of the fifth and sixth classes, its adoption to be optional with the citizens of such cities, and the judicial and police functions and powers of same to be invested in the county authorities.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That any city of the fifth or sixth class, under the laws of the Commonwealth of Kentucky, may become organized and governed under the provisions of this act by proceeding as hereinafter provided. Organizing under this act shall not change the corporate entity of any such city, but the body politic and corporate shall remain the same body that it now is.

§ 2. All laws applicable to and governing cities of the fifth or sixth class, and not inconsistent with the provisions of this act, shall continue to apply to and govern each city that may organize under this act. And all by-laws, ordinances and resolutions in force in any such city and not inconsistent with the provisions of this act, shall continue to be in force until altered or repealed in manner provided for in this act.

§ 3. The sense of the voters of such city as to whether it shall be organized under this commission form of government shall be taken as provided by law, and the question to be submitted to the voters shall be: "Are you in favor of the organization and government of the city of..... (naming said city) under the commission form of government?"

§ 4. If it be the sense of the voters to organize said city under this form of government, then three commissioners may be elected at an election held not earlier than forty (40) days thereafter, and after eight notices of said election have been posted in eight conspicuous places of such city for a

period of not less than ten days. Said election is to be called and held in the manner now provided by law. All elections of commissioners thereafter are to be held on the first Saturday of every second month of May thereafter in the manner provided by law, and such commissioners as are elected shall be inducted into office at the next regular meeting of the commissioners in the manner provided by law for such city of this class.

§ 5. Each commissioner shall be elected for a term of two years, beginning the first Monday of the month following his election, and each commissioner shall receive an annual salary of twenty-four dollars ($24.00). The commissioners shall, within thirty days after their election, meet and organize themselves, one to be selected as presiding officer, or Mayor, the other as Clerk and the third as Treasurer.

§ 6. The judicial functions and the police power of such city (except that a commissioner may make an arrest in case of an emergency) shall be invested in the county authorities and under such laws as govern the county elsewhere.

§ 7. The assessment valuation of property in such city shall be taken by the county tax commissioner from his records and report to the sheriff under laws governing his duties. The sheriff shall collect taxes of such city under laws governing collection of county taxes and turn same over to the treasurer of such city.

§ 8. All other duties, functions, powers, business and administration belonging to the officers of fifth or sixth class towns now, or hereafter, authorized by law shall become the duties, functions, powers, business and administration of such commission, and the voting power of the commissioners shall be equal on all questions pertaining to the affairs of such city.

§ 9. Two members of the commission shall constitute a quorum, and the affirmative vote of at least two members shall be necessary to the adoption of any motion, resolution, ordinance, to the making or approval of any contract, or to the passage of any measure.

§ 10. Each commissioner shall be able to read and to write any section of the Constitution of this Commonwealth, and must execute a bond to the city (to be filled by the county judge), upon which an action may be maintained by any person, or persons, interested in the keeping of the covenants therein contained, in the penal sum of five hundred dollars ($500.00) (except the commissioner selected for treasurer, whose penal sum shall be one thousand dollars ($1,000.00), conditional upon the faithful performance of his official duties).

§ 11. Whenever the citizens of any city, which shall have been organized and governed under the provisions of this act for a period of four years, shall desire that the organization and government of such city under the provisions of this act shall terminate and cease, they shall proceed to get the sense of the voters by the same process of law by which said commission form of government was established. The question to be submitted to the voters shall be: "Shall the city of.....(naming said city) abandon its organization and government under the commission form of government?" If a majority of the votes cast shall be in favor of said abandonment, then said city shall be organized and governed by such laws as apply to cities of the fifth and sixth class, independent of the provisions of this act.

Mr. Waggoner offered the following amendment:

By inserting in section 5, line 3, after the phrase "annual salary of" the words, "not less than twenty-four dollars ($24.00) nor more than three hundred dollars ($300.00), the exact amount to be decided by the outgoing council and mayor at their last meeting before retiring."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | W. P. Scott |
| Sidney Alfrey | D. J. Howard | S. G. Smith |
| L. H. Ballard | A. R. Hudson | R. Lee Stewart |
| H. H. Barnes | Robt. Humphreys | Wm. A. Stewart |
| W. T. Beckham | R. O. Huntsman | John T. E. Stites |
| S. M. Bennett | J. W. Johnson | Frank L. Strange |
| Rodney G. Bryson | Frank Kennard | T. R. Stults |
| Roy J. Cain | W. L. Kimbrough | J. Mack Thompson |
| W. T. Carner | Dr. S. D. Laughlin | J. H. Thompson |
| J. F. Carr | Hebron Lawrence | Dr. D. J. Travis |
| T. L. Caudel | Joseph Lazarus | C. B. Truesdell |
| Charles M. Ciarlo | Rev. J. A. Lee | John L. Trumbo |
| B. L. Cox | A. J. McCandless | J. Wood Vance |
| J. S. Cruse | R. L. McFerron | Fred C. VanHoose |
| P. A. Day | Homer C. McLellen | Daniel Vose |
| H. N. Dean | Claude D. Minor | Geo. C. Waggoner |
| J. B. Denues | Mack J. Morgan | A. M. Wash |
| J. M. Foster | Chas. A. Nelson | J. S. Webb |
| Dr. T. H. Gamblin | T. P. Oliver | Gladstone Wesley |
| J. W. Geveden | S. C. Ray | W. G. Wheeler |
| Dr. W. L. Gossett | B. F. Reynolds | R. E. Wilborn |
| A. L. Hamilton | B. A. Roth | Dr. W. S. Yazell |
| E. C. Hardin | Dr. Lewis Ryans | —68 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Estill W. Neel | T. C. Pryse | Dr. T. R. Welch |

—3

Resolved, that the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 195. An act providing for oiling of the streets and alleys of cities of the fourth and fifth classes of this Commonwealth.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

The city council or commissioners of cities of the fourth and fifth classes are hereby empowered to cause all such of the streets and alleys to be oiled as it deems to the best interest of the general public.

The city council or commissioners may at a regular meeting pass a resolution designating certain of its streets and alleys to be oiled, which resolution shall be published for two (2) weeks in some paper published in the city or by notices posted in at least eight conspicuous places in the city, in which it is to be stated the streets and alleys designated to be oiled.

It shall have power to assess against the property holder whose property borders or abuts on such designated streets or alleys any portion of the cost of oiling same and assess and levy the tax against such property to be known as an oiling tax, and to be collected as other taxes of the city, and the city shall have the same tax lien against the property so bordering and abutting on such streets and alleys, and the collection thereof shall be enforced in the same manner as the collection of other taxes collected for the city.

After the streets and alleys have been oiled in accordance with the resolution passed by the council or commissioners, every property holder shall be given a notice of the amount due on the oiling tax, and it shall be the duty of the property holder to pay the same within thirty (30) days after he has received the said notice, and on failure to do so, there shall be imposed a penalty of ten (10) per cent on the amount due by him.

It shall be the duty of the city to pay for oiling all the cross sections of the city.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Hebron Lawrence | Frank L. Strange |
| H. H. Barnes | Joseph Lazarus | T. R. Stults |
| Rodney G. Bryson | Rev. J. A. Lee | John W. Swope |
| Roy J. Cain | R. C. Marcum | J. Mack Thompson |
| T. L. Caudel | Homer C. McLellen | John L. Trumbo |
| J. S. Cruse | Claude D. Minor | J. Wood Vance |
| H. N. Dean | T. C. Pryse | Fred C. VanHoose |
| J. B. Denues | S. C. Ray | Daniel Vose |
| E. C. Hardin | B. F. Reynolds | Geo. C. Waggoner |
| A. R. Hudson | Lee Rogers | A. M. Wash |
| Robt. Humphreys | B. A. Roth | J. S. Webb |
| R. O. Huntsman | W. P. Scott | Dr. T. R. Welch |
| J. W. Johnson | R. Lee Stewart | Gladstone Wesley |
| Henry Kaufman | Wm. A. Stewart | W. G. Wheeler |
| W. L. Kimbrough | John T. E. Stites | Dr. W. S. Yazell |

—45

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Geveden | Estill W. Neel |
| S. M. Bennett | Dr. W. L. Gossett | Chas. A. Nelson |
| W. T. Carner | Talbert Holliday | S. G. Smith |
| J. F. Carr | D. J. Howard | Dr. D. J. Travis |
| Charles M. Ciarlo | Frank Kennard | C. B. Truesdell |
| P. A. Day | Dr. S. D. Laughlin | R. E. Wilborn |
| J. M. Foster | A. J. McCandless | |
| Dr. T. H. Gamblin | R. L. McFerron | —22 |

Resolved, that the title thereof be as aforesaid.

Mr. Thompson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 53. An act requiring the payment of a license tax by persons, firms, associations and corporations, who for compensation engaged in the business of operating hat and coat racks or check rooms at hotels, restaurants or other places where the public is entertained where such compensation is contingent upon gratuities.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That all persons, firms, associations, or corporations, who, for a stated price or part of the receipts, engage in the business of operating hat and coat racks, or check rooms at any hotel, restaurant or other place where the public is entertained, and which is contingent upon tips or gratuities,

shall annually pay to the state a license tax of two hundred and fifty ($250.00) dollars for each rack, room or station operated, and the person having charge of same shall be deemed the agent and liable for the taxes.

§ 2. Any person, firm, associations or corporations who shall fail to procure the license mentioned in section one, or violates any of the provisions of same shall, on conviction, be fined not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars. Each day such business is conducted without the license herein required, shall be considered a separate offense and punished accordingly.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | R. O. Huntsman | Chas. A. Nelson |
| Sidney Alfrey | J. W. Johnson | T. C. Pryse |
| H. H. Barnes | Henry Kaufman | S. C. Ray |
| W. T. Carner | Frank Kennard | B. F. Reynolds |
| J. F. Carr | W. L. Kimbrough | Lee Rogers |
| Charles M. Ciarlo | Hebron Lawrence | B. A. Roth |
| J. S. Cruse | Joseph Lazarus | W. P. Scott |
| P. A. Day | Rev. J. A. Lee | S. G. Smith |
| J. M. Foster | R. C. Marcum | R. Lee Stewart |
| Dr. T. H. Gamblin | A. J. McCandless | Wm. A. Stewart |
| J. W. Geveden | R. L. McFerron | John T. E. Stites |
| Dr. W. L. Gossett | Homer C. McLellen | Frank L. Strange |
| A. R. Hudson | Claude D. Minor | T. R. Stults |
| Robt. Humphreys | Estill W. Neel | John W. Swope |

| | | |
|---|---|---|
| J. Mack Thompson | Geo. C. Waggoner | W. G. Wheeler |
| Dr. D. J. Travis | A. M. Wash | R. E. Wilborn |
| John L. Trumbo | J. S. Webb | Dr. W. S. Yazell |
| J. Wood Vance | Dr. T. R. Welch | |
| Daniel Vose | Gladstone Wesley | —55 |

Resolved, that the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 157. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That each agent of a laundry or dry cleaning establishment located outside of this state representing said laundry or establishment and soliciting or receiving articles in this state to be sent or transported to said laundries or establishments to be there laundered or cleaned and returned to their owners in this state shall before engaging in said business, secure a license therefor and pay to the Commonwealth of Kentucky an annual license tax of twenty-five dollars ($25.00) for and in each county where said soliciting or receiving or business is carried on or conducted.

§ 2. The license shall be issued by the county court clerk of the respective counties upon the payment of the tax and the fees required by law.

§ 3. Any person or corporation engaging in the business for which a license is herein required without first procuring the license and paying the tax herein provided for, shall on conviction be fined not less than twenty-five nor more than one hundred dollars for each offense.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Joseph Lazarus | T. R. Stults |
| Sidney Alfrey | R. C. Marcum | John W. Swope |
| H. H. Barnes | Homer C. McLellen | J. Mack Thompson |
| Rodney G. Bryson | Claude D. Minor | J. H. Thompson |
| W. T. Carner | Mack J. Morgan | Dr. D. J. Travis |
| J. F. Carr | Estill W. Neel | John L. Trumbo |
| J. S. Cruse | Chas. A. Nelson | J. Wood Vance |
| P. A. Day | T. C. Pryse | Daniel Vose |
| Dr. T. H. Gamblin | S. C. Ray | Geo. C. Waggoner |
| J. W. Geveden | B. F. Reynolds | A. M. Wash |
| Dr. W. L. Gossett | B. A. Roth | J. S. Webb |
| D. J. Howard | W. P. Scott | Dr. T. R. Welch |
| A. R. Hudson | S. G. Smith | Gladstone Wesley |
| Robt. Humphreys | R. Lee Stewart | W. G. Wheeler |
| J. W. Johnson | Wm. A. Stewart | Dr. W. S. Yazell |
| Henry Kaufman | John T. E. Stites | |
| W. L. Kimbrough | Frank L. Strange | —49 |

Those who voted in the negative were—

| | | |
|---|---|---|
| E. C. Hardin | Hebron Lawrence | Lee Rogers |
| Talbert Holliday | Rev. J. A. Lee | C. B. Truesdell |
| Frank Kennard | A. J. McCandless | R. E. Wilborn |

—9

Resolved, that the title thereof be as aforesaid.

Mr. Welch moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman having taken his seat in the House, the House then took up for consideration from the orders of the day a bill entitled:

H. B. 97. An act entitled an act to promote safety to the traveling public in this Commonwealth and provide a penalty for a violation of same.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

Whereas, it has become a common custom with merchants and others having goods and wares for sale to erect at public crossings and along public highways in the state, sign boards advertising their wares and business, similar to and like those used by railroad companies, at dangerous points and crossings to warn the traveling public of the danger of approaching trains, persons traveling are often misled and mistake the danger signal of the railroad for an advertisement, which results in many cases in disastrous catastrophe therefrom.

§ 1. That after the passage of this act it shall be unlawful for any person or persons, firm, corporation or company

to advertise goods or wares on signs similar to or like the danger signal adopted by and placed at dangerous crossings by railroad companies, in this state consisting of a post or column with board attached in diagonal position lettered "Railroad Crossing—Look out for Train;" "Stop, Look and Listen," which are and should be different and easily distinguished from a sign or advertisement of a merchant, otherwise they become common and increase the hazard to the traveling public.

§ 2. That any person or persons, firm, corporation or company who shall violate section one of this act by erecting any signboard like or of the same pattern or design strikingly similar to those used by railroad companies, steam and electric, at dangerous crossings, to warn the traveling public of danger, shall be guilty of a misdemeanor and subject to arrest and upon a warrant and fine of not less than five dollars nor more than one hundred dollars and cost, in any court having jurisdiction in this Commonwealth.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Roth offered the following amendment by way of substitute to said bill:

An act to promote safety to the traveling public in this Commonwealth and to provide a penalty for a violation of same.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That it shall be unlawful for any person or persons, firm, corporation or company, to erect on or near the public roads and highways of the Commonwealth of Kentucky, any signboard or other contrivance for the purpose of advertisement or for any other purpose, similar to or like the danger signals used by the railroads, interurbans and

electric railway companies at road crossings and all such signs heretofore erected shall be taken down within six months after this act becomes a law.

§ 2. That any person, persons, firm, corporation or company who shall violate section one of this act shall be fined not less than five nor more than one hundred dollars for each offense.

Said amendment by way of substitute was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill as amended in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | P. A. Day | R. O. Huntsman |
| Sidney Alfrey | H. N. Dean | Henry Kaufman |
| L. H. Ballard | H. C. Duffy | Griffin Kelly |
| H. H. Barnes | J. M. Foster | Frank Kennard |
| W. T. Beckham | Dr. T. H. Gamblin | W. L. Kimbrough |
| J. M. Billiter | J. W. Geveden | Dr. S. D. Laughlin |
| Roy J. Cain | Dr. W. L. Gossett | Hebron Lawrence |
| W. T. Carner | A. L. Hamilton | R. C. Marcum |
| J. F. Carr | E. C. Hardin | J. S. Mason |
| T. L. Caudel | Talbert Holliday | R. L. McFerron |
| Charles M. Ciarlo | D. J. Howard | Homer C. McLellen |
| B. L. Cox | A. R. Hudson | Claude D. Minor |
| J. S. Cruse | Adam W. Huff | Mack J. Morgan |

| | | |
|---|---|---|
| Estill W. Neel | R. Lee Stewart | Fred C. VanHoose |
| Chas. A. Nelson | Wm. A. Stewart | Daniel Vose |
| T. P. Oliver | John T. E. Stites | Geo. C. Waggoner |
| T. C. Pryse | Frank L. Strange | A. M. Wash |
| S. C. Ray | T. R. Stults | J. S. Webb |
| B. F. Reynolds | John W. Swope | Gladstone Wesley |
| Sherman Robbins | Dr. D. J. Travis | W. G. Wheeler |
| Lee Rogers | C. B. Truesdell | Dr. W. S. Yazell |
| B. A. Roth | John L. Trumbo | |
| W. P. Scott | J. Wood Vance | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| S. M. Bennett | Robt. Humphreys | Dr. T. R. Welch |
| Rodney G. Bryson | A. J. McCandless | —5 |

Resolved, that the title thereof be as amended by the substitute.

Mr. Pryse moved that the vote by which said bill was passed as amended by the substitute be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 94. An act to amend section 762-a, subsection 22, regulating agreements between insurance companies and the insured.

Mr. Webb moved to refer said bill to the Committee on Insurance, Fire and Marine.

Said motion was agreed to, and said bill was so referred.

Then the House took up for consideration from the orders of the day House Bill No. 112, entitled:

An act to amend and re-enact section 4168. Kentucky Statutes (Carroll's 1915 edition), relating to compensation of sheriffs and collectors.

Mr. Humphreys moved to recommit said bill to the Committee on Ways and Means.

Said motion was agreed to, and said bill was recommitted to the Committee on Ways and Means.

Then the House took up for consideration from the orders of the day House Bill No. 252 of the following title:

An act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Mr. Welch moved to make said bill a special order for 12 o'clock p. m., February 4, 1920.

Mr. Lazarus moved to amend said motion by substituting 11:30 a. m., Tuesday, February 3, 1920.

Said amendment was adopted.

Said bill was made a special order for 11:30 a. m., Tuesday, February 3, 1920.

Mr. Lazarus moved that today's session be indefinitely extended.

Said motion was agreed to, and it was so ordered.

Mr. Geveden moved that House Bill No. 201 be referred to the Committee on Agriculture.

Said motion was adopted and said bill was so referred.

Then the House took up for consideration from the orders of the day a bill entitled:

H. B. 253. An act abolishing the Department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the office of State Forester, and State Geologist attached thereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the Department of Geology and Forestry as provided for in chapter 35, Acts of 1918, and chapter 59, Kentucky Statutes, Carroll, vol. 3, 1918, section 2007A-1 to 2007G-31, inclusive.

Mr. Lazarus moved to make said bill a special order for 12:00 m., Tuesday, February 3, 1920.

Mr. Welch moved to amend said motion by fixing the time at 12:30 p. m. on said date.

Said amendment was adopted.

Then said motion, as amended, was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 33. An act entitled an act amending section 75 of the Criminal Code of Practice, Carroll's 1919 edition.

Mr. Minor moved to recommit said bill to the Committee on Criminal Law with leave to report at any time.

Said motion was agreed to, and said bill was so referred.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 136. An act amending and re-enacting section 107 of an act entitled, "An act providing for the creation and regulation of corporations," being chapter 171 of the Acts of 1893, which became a law on April 5, 1893, without the signature of the Governor, and which section is now section 644 of the Kentucky Statutes, Carroll's edition of 1915.

Mr. Lazarus moved to recommit said bill to the Committee on Insurance, Life and Accident, with leave to report at any time.

Said motion was agreed to, and the bill was so referred.

Mr. Waggoner offered the following resolution, to wit:

In as much as Col. Jack Chinn, who is buried today, was a former member of the Kentucky Legislature, be it resolved, that our Speaker appoint a committee of two from the House of Representatives to draft suitable resolutions.

Said resolution was adopted.

The Speaker appointed as a committee to comply with said resolution Messrs. Waggoner and Hardin.

A message was received from the Senate stating that that body had concurred in House Resolution No. 20, entitled:

A joint resolution asking Congress to make Lincoln's birthday a national holiday.

Ordered, that said resolution be enrolled.

Mr. Day moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:00 p. m., adjourned.

TUESDAY, FEBRUARY 3, 1920.

The House was called to order by the Speaker at 10:00 a. m.

The House was opened with prayer by the Rev. M. S. Clark, pastor of the Methodist church, of the city of Frankfort, Kentucky, at 10 a. m.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follws, viz.:

| | | |
|---|---|---|
| Lon Adams | E. C. Hardin | John T. Murphy |
| Sidney Alfrey | Talbert Holliday | Estill W. Neel |
| L. H. Ballard | D. J. Howard | Chas. A. Nelson |
| H. H. Barnes | A. R. Hudson | T. P. Oliver |
| W. T. Beckham | Adam W. Huff | T. C. Pryse |
| S. M. Bennett | Robt. Humphreys | S. C. Ray |
| J. M. Billiter | R. O. Huntsman | B. F. Reynolds |
| Jo F. Bosworth | J. W. Johnson | Sherman Robbins |
| Rodney G. Bryson | Henry Kaufman | Lee Rogers |
| Roy J. Cain | Griffin Kelly | B. A. Roth |
| W. T. Carner | Frank Kennard | Dr. Lewis Ryans |
| J. F. Carr | W. L. Kimbrough | Chas. R. Scott |
| T. L. Caudel | J. M. Knott | W. P. Scott |
| Charles M. Ciarlo | Dr. S. D. Laughlin | Dr. B. F. Shields |
| J. S. Cruse | Hebron Lawrence | H. G. Skiles |
| P. A. Day | Joseph Lazarus | S. G. Smith |
| H. N. Dean | Rev. J. A. Lee | R. Lee Stewart |
| J. B. Denues | Elmer Lusby | Wm. A. Stewart |
| H. C. Duffy | R. C. Marcum | John T. E. Stites |
| J. M. Foster | I. S. Mason | Frank L. Strange |
| Dr. T. H. Gamblin | A. J. McCandless | T. R. Stults |
| B. J. Goehringer | R. L. McFerron | John W. Swope |
| J. W. Geveden | Homer C. McLellen | John B. Thomas |
| Dr. W. L. Gossett | Claude D. Minor | J. Mack Thompson |
| A. L. Hamilton | Mack J. Morgan | J. H. Thompson |

| | | |
|---|---|---|
| Dr. D. J. Travis | Geo. C. Waggoner | R. E. Wilborn |
| C. B. Truesdell | A. M. Wash | V. M. Williamson |
| John L. Trumbo | J. S. Webb | W. N. Winn |
| J. Wood Vance | Dr. T. R. Welch | Dr. W. S. Yazell |
| Fred C. VanHoose | Gladstone Wesley | |
| Daniel Vose | W. G. Wheeler | —91 |

On motion of Mr. Roth the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

An indefinite leave of absence was granted to Mr. H. G. Skiles.

Mr. Mason moved that House Bill No. 158 be transferred from the Committee on Railroads to the Committee on Kentucky Statutes.

Said motion was adopted.

Mr. Swope, of the Committee on Resolutions, in regard to services of Mr. George L. Wainscotte, presented the following resolution, viz.:

Be it resolved that we, the members of the House of Representatives, its members speaking from a sense of duty, that we tender our heartfelt thanks and appreciation to G. L. Wainscotte for his valued services and devotion in going to France and looking up the graves and resting places and for making pictures of their tombs and head stones, and for the great relief he brought back to their mothers, fathers, relatives and friends, thereby alleviating their sorrows as best he could. To him is the highest honor due, next to those who lost their lives that we, as well as all the world, might enjoy the freedom and privilege of being a free and prosperous people. May generations to come honor this great work as well as we.

Resolved, further, that these resolutions be spread on the minutes of this House, that it may remain upon the archives of the great state of Kentucky, this being the best medium that we may show our appreciation of his great work.

Mr. Swope moved that said resolution be adopted and spread upon the records of this House.

Said motion was adopted.

Hon. A. J. Oliver, a former Representative from Allen county, and Mr. Mathers, a former Representative from Nicholas county, were given the privileges of the floor.

Upon a call of the standing committees for reports the following bills were reported, viz.:

By Mr. Billiter, of the Committee on Education No. 2:

H. B. 196. An act defining boundaries for school districts embracing cities of the fourth class, and providing systems of schools in such districts, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

With the expression of opinion that same ought to pass.

By Mr. Huff, of the Committee on Fish and Game:

H. B. 237. An act to regulate and protect fur bearing animals, and to prevent the killing thereof, except between the first day of November and the first day of the succeeding March.

With the expression of opinion that same ought to pass.

By Mr. Trumbo, of the Committee on Insurance, Life and Accident:

H. B. 177. An act to amend and re-enact section 29 of chapter 27 of the Acts of the General Assembly of 1916, which is an act to regulate and control fraternal benefit societies.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 322. An act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

With the expression of opinion that same ought to pass.

By Mr. Kaufman, of the Committee on Juvenile Courts and Children's Home:

H. B. 172. An act to amend subsection 9 of section 331e of chapter 18 of the Kentucky Statutes, which was an act of February 24th, 1894, pertaining to children destitute or maltreated.

With the expression of opinion that same ought to pass.

By Mr. Roth, of the Committee on Municipalities:

H. B. 217. An act relating to officers of the police court in cities of the first class, and to the bond recorder in such cities, and amending, enlarging, re-enacting and repealing certain sections of the Kentucky Statutes, Carroll's edition of 1915, as follows: amending and re-enacting section 2911, relating to said court and its officers; repealing section 2928*a* relating to the doorkeeper of said court; repealing sections 2940 to 2944, inclusive, relating to the bailiff of said court; repealing section 2945 relating to the interpreter of said court; repealing section 2947 relating to the bond recorder in such cities, and abolishing the offices and positions of said doorkeepers, bailiffs, interpreter and bond recorder, and providing for the performance, by the clerk of said court, of the duties now respectively performed by said officers; and amending, enlarging and re-enacting sections 2930 and 2931, defining the powers, duties and compensation of the clerk of the police court in such cities, and fixing the number of his deputies and their compensation; all of said sections being portions of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893, as amended and supplemented by the act approved March 18, 1902 (chapter 31, Acts of 1904), and by the act of March 22, 1904 (chapter 96, Acts of 1904).

With the expression of opinion that same ought to pass.

By Mr. Cooper, of the Committee on Public Offices:

H. B. 206. An act to amend subsection 7 of section 1019a of the act approved March 29, 1902, entitled, "An act to provide for stenographic reporters for courts of continuous session."

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Roads and Highways:

H. B. 50. An act to provide for the establishment, opening and maintenance of private passways leading from a public turnpike and highway to the land of a landowner whose property does not abut upon such public turnpike and highway.

With the expression of opinion that same ought to pass with an amendment thereto.

By same:

H. B. 60. An act relating to roads and bridges; creating the department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provision of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States Government; providing for the payment of the State's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of way, and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356-t, Kentucky Statutes, edition 1915, also repealing sections 4356-u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25 of section 4356x, Kentucky Statutes, edition 1915, and the supplement to said edition known as volume 3 repealing any other act or acts in conflict herewith.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

A minority report was made on said bill with the expression of opinion that same ought not to pass.

Said minority report was signed by Messrs. P. A. Day and Frank L. Strange.

Mr. Ciarlo moved that the substitute for House Bill No. 60 be printed.

Said motion was adopted.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

By Mr. Biliter, of the Committee on Education No. 2:

H. B. 242. An act providing for the certification by the county clerk to the county superintendent of schools of each year's assessment of property for school taxation, and for the certification of the assessment by the superintendent of schools to the treasurers or collectors of the graded common schools.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bill was refused its first reading.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

By Mr. Huff, of the Committee on Fish and Game:

H. B. 153. An act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio river and its Kentucky tributaries belonging to or controlled by the state of Kentucky, and to regulate the catching of said shells and to have authority to cooperate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this act.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

The first reading of the bill was refused.

Mr. Kelly moved to reconsider the vote by which said bill was refused its first reading and that that motion lie on the table.

Said motion was adopted.

By same:

H. B. 168. An act placing a bounty upon hawks and owls, fixing the amount thereof and directing the method of payment therefor.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Mr. Kelly moved to reconsider the vote by which said bill was refused its first reading and that that motion lie on the table.

Said motion was adopted.

A message was received from the Senate stating that the Senate had passed Senate Bill No. 18 entitled, "An act to amend subsection 7 of section 1019a of the act approved March 29, 1902, entitled, 'An act to provide for stenographic reporters for courts of continuous session.'"

Said bill was ordered to be printed and referred to the Committee on Judiciary.

The House took up for consideration from the orders of the day House Bill No. 77.

Mr. Lawrence moved that said bill be made a special order for Thursday, February 5th, at 11:30 a. m

Said motion was adopted.

Mr. Lazarus indicated that the hour of 11:30 a. m. had arrived.

Thereupon the House took up for consideration the special order for this hour.

H. B. 252. An act to suppress mob violence and prevent lynching; providing for punishment of persons violating the

provisions of this act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Mob Defined—Punishment of Members. Any number of persons more than three, assembled for the purpose of doing violence, injury to or lynching any person in the custody of any peace officer or jailer in this Commonwealth, shall be regarded as a mob. Any person who takes part in and with any such mob, with the result that the person in custody meets death at the hands of any mob shall be deemed guilty of lynching, or if the result be that the person does not meet death, any person who takes part in or with the mob shall be guilty of attempted lynching.

The penalty for lynching shall be death or life imprisonment.

The penalty for attempted lynching shall be confinement in the penitentiary for not less than two years nor more than twenty-one years.

§ 2. Accessories. Any person not standing in the relationship of husband or wife, parent or grandparent, child or grandchild, brother or sister, by consanguinity or affinity, who, after the crime of lynching or attempted lynching, shall harbor or conceal, or aid any member of the mob participating in the offense with the intent that such member or such mob shall escape arrest or punishment, shall be deemed accessory after the fact, and may be indicted, tried and convicted and punished, although such member of the mob be neither indicted, tried or convicted, and on conviction shall be punished by imprisonment in the penitentiary for not less than two nor more than twenty-one years.

§ 3. Officers. If any person, being a prisoner, or lawfully in custody, shall be taken from the hands of any sheriff, depu-

ty sheriff, constable or any other peace officer, or from the hands or custody of any jailer, and shall be lynched, killed, maimed or injured, it shall be prima facie evidence of failure of the officer to perform his duty, and shall be prima facie evidence of neglect of duty on the part of such officer, and when such failure in or neglect of duty, or such lynching or injury, is made to appear to the Governor, he shall at once publish a proclamation declaring the office or offices of the officer or officers vacant, at the same time mailing copy of the proclamation to such officer or officers, whereupon the office shall be immediately vacated.

§ 4. When a vacancy in any office arises from the causes above set out, the sureties on the bond of any officer affected by the Governor's action shall at once select a person to fulfill the office for the remainder of the term, or temporarily as the occasion may demand, provided such sureties present the name of such person to the county court within two days after the vacancy occurs. Upon failure of the sureties to act within the time indicated, then the county judge shall appoint a suitable person to act as above set out. Until such appointment be made, the coroner shall fulfill the office of sheriff, and the county judge shall designate some suitable person to take temporary charge of the jail.

§ 5. Any officer named above, after having vacated his office, may, within ten days thereafter, file with the Governor his petition for reinstatement, of which filing he shall give written notice to the county attorney of his county, and the Commonwealth's attorney of the district of which his county is a part, and the Governor shall give notice to the attorney general.

The Governor shall hear the evidence, which may be oral or by deposition, and arguments, if any presented, and if at such hearing the Governor be of the opinion that the officer had done all in his power to protect the life and person of such prisoner, and that the officer had not neglected to perform his legal duty, then the Governor shall order the im-

mediate reinstatement of such removed officer, and such order of the Governor shall be final, and should he fail to reinstate, his previous order removing shall also be final.

§ 6. Any officer removed, and not reinstated shall thereafter be disqualified from holding any office in this Commonwealth.

Mr. Nelson offered the following amendment to said bill, viz.:

(Amendment No. 1.) Amend section 4, H. B. No. 252, by striking out the words in line 2 "the sureties on the bond of any officer," and substituting therefor the words "the fiscal court of the county of which the officer or officers affected are officials."

Mr. T. H. Thompson offered the following amendment to said bill, viz.:

(Amendment No. 2.) Section 4. When a vacancy in any office arises from any of the causes above set out, and the officer or officers have not been reinstated, as provided in the next succeeding section, the judge of the county court of the county wherein said office or officers have been vacated, shall forthwith appoint a suitable person or persons possessing the qualifications now required by law to fill such vacancy. Until such an appointment be made the coroner shall exercise the duties of sheriff and jailer.

Mr. Lon Adams offered the following amendment to said bill, viz.:

(Amendment No. 3.) To amend H. B. No. 252 by striking from lines 9 and 10 of section 2 thereof the words "penitentiary for not less than two nor more than twenty-one years" and substituting therefor the words "not less than thirty days nor more than six months in the county jail."

Also that section 5 be amended by striking out the word "Governor" wherever it occurs and substituting therefor the words "the circuit judge of the judicial district of which the officer affected is a resident," and by striking out from the 5th and 6th lines of said section 5 "and the Governor shall give notice to the Attorney General." To further amend said section 5 thereof by striking the word "final" from line 13 thereof, substituting therefor the words "shall not be final, but that the officer or officers affected by such order or judgment of the circuit judge may have the right to appeal to the Court of Appeals as in other cases."

Mr. T. R. Welch offered the following amendment to said bill, viz.:

(Amendment No. 4.) Amend H. B. 252, section 2, line 7 and 8 by striking out the words "although such member of the mob be neither indicted, tried or convicted."

Mr. Minor offered the following amendment to said bill, viz.:

(Amendment No. 5.) Amend amendment No. 2, offered by the gentleman from Bourbon, to H. B. 252, by adding after the word "vacancy," in line 8 of said amendment, the words "until the next general election, at which time said vacancy shall be filled by election by the people of a suitable person to fill said office in the same manner as is prescribed by law for the election of said officers."

The question being taken on amendment No. 5 to amend amendment No. 2, the same was adopted.

Then amendment No. 2 as amended was adopted.

Then the question was taken on the amendment of Mr. Welch (Amendment No. 4) and same was adopted.

Then the question was taken on the amendment of Mr. Adams (amendment No. 3) and said amendment was rejected.

Then Mr. Nelson, by unanimous consent, withdrew his amendment (amendment No. 1).

Ordered, that said bill be engrossed and read the third time

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Henry Kaufman | S. G. Smith |
| L. H. Ballard | W. L. Kimbrough | R. Lee Stewart |
| H. H. Barnes | Dr. S. D. Laughlin | Wm. A. Stewart |
| W. T. Beckham | Hebron Lawrence | John T. E. Stites |
| S. M. Bennett | Joseph Lazarus | T. R. Stults |
| J. M. Billiter | Rev. J. A. Lee | John W. Swope |
| Rodney G. Bryson | R. C. Marcum | J. Mack Thompson |
| Roy J. Cain | I. S. Mason | J. H. Thompson |
| W. T. Carner | A. J. McCandless | C. B. Truesdell |
| J. F. Carr | R. L. McFerron | John L. Trumbo |
| T. L. Caudel | Homer C. McLellen | J. Wood Vance |
| Charles M. Ciarlo | Claude D. Minor | Fred C. VanHoose |
| B. L. Cox | John T. Murphy | Daniel Vose |
| J. S. Cruse | Estill W. Neel | Geo. C. Waggoner |
| H. N. Dean | T. P. Oliver | A. M. Wash |
| J. B. Denues | T. C. Pryse | J. S. Webb |
| J. M. Foster | S. C. Ray | Dr. T. R. Welch |
| B. J. Goehringer | Sherman Robbins | Gladstone Wesley |
| Talbert Holliday | B. A. Roth | R. E. Wilborn |
| A. R. Hudson | Dr. Lewis Ryans | Dr. W. S. Yazell |
| Adam W. Huff | W. P. Scott | —62 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | Lee Rogers |
| P. A. Day | Robt. Humphreys | Chas. R. Scott |
| H. C. Duffy | J. W. Johnson | Dr. B. F. Shields |
| Dr. T. H. Gamblin | Griffin Kelly | Frank L. Strange |
| J. W. Geveden | Frank Kennard | John B. Thomas |
| Dr. W. L. Gossett | J. M. Knott | Dr. D. J. Travis |
| A. L. Hamilton | Elmer Lusby | W. G. Wheeler |
| E. C. Hardin | Chas. A. Nelson | W. N. Winn |

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 218. An act to create a State Board of Charities and Corrections for the management and supervision of the benevolent, charitable, eleemosynary, correctional and penal institutions of this state; to vest in said board ample powers, including all the powers now vested by law in the State Board of Control and the Managers of the House of Reform for Girls, and appropriating funds for the maintenance of the State Board of Charities and Corrections.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. There is hereby created a board to be composed of eight members, all of whom shall be residents of the state of Kentucky, and not less than thirty years of age, and two of

whom shall be women. The members of the board shall be appointed by the Governor, by and with the consent of the Senate, two for a period of one year, two for a period of two years, two for a period of three years and two for a period of four years from date of appointment unless sooner removed for cause, and thereafter all appointments except to fill vacancies caused by death, resignation or removal shall be for the full term of four years. No more than four of the members of the board shall be of the same political party.

Said board shall be styled "The State Board of Charities and Corrections," and the members thereof shall serve without compensation, but their actual and necessary expenses while in the discharge of their official duties shall be paid.

§ 2. The board named in section 1 hereof is hereby vested with authority to and shall, except as hereinafter provided, exercise all the powers and privileges and discharge all the duties now vested by law in the State Board of Control and the Board of Managers of the House of Reform for Girls, which said State Board of Control and Board of Managers of the House of Reform for Girls are hereby abolished, and the terms of office of the present members of same are hereby terminated. The institutions hereby placed under the control and management of the State Board of Charities and Corrections are eight in number and are as follows:

State Reformatory at Frankfort, Ky.
State Penitentiary at Eddyville, Ky.
Houses of Reform, Greendale, Ky.
Eastern State Hospital, at Lexington, Ky.
Central State Hospital, at Lakeland, Ky.
Western State Hospital, at Hopkinsville, Ky.
Feeble-Minded Institute at Frankfort, Ky.
House of Reform for Girls, in Shelby county, Ky.

§ 3. It is the declared purpose of this act to establish a broad, humane and practical policy by the state in the care and treatment of all state wards; to coordinate all of the

various activities now engaged in or that may hereafter be engaged in on behalf of those who, by reason of mental or physical infirmities, neglect or misfortune, or on account of delinquency or crime, come under the care and custody or supervision of the state; to so direct the expenditure of public funds appropriated for the benefit of said state wards that waste and extravagance shall be as far as possible eliminated and a proper economy exercised with due regard alike to the needs of said state wards and the interests of the Commonwealth, and to that end it shall be the duty of the board hereby created:

(a) To study the sources and causes of crime, delinquency and dependency and as far as possible suggest and put into effect such remedial measures as may be of benefit to the Commonwealth in the prevention and ultimate eradication of anti-social acts and conditions.

(b) To supervise the work and methods of all benevolent, charitable or correctional institutions, associations or societies other than those directly under its control and management that are supported in whole or in part by state funds. The board, or its agent, shall at all times have access to the records, premises and buildings of any such institution, association or society, and may require from them such information and reports as may be deemed necessary, and it shall be the duty of the proper officials of all such institutions, associations or societies, to furnish such information or reports whenever same may be called for, and failure to do so shall subject any such officials to a penalty of five hundred dollars to be sued for and collected by said board.

(c) The board, in its discretion, may, at any time, make an investigation by the whole board, or by a committee of its members, of the management of any benevolent, charitable or correctional institution receiving state aid, and said board or committee, in making any such investigation, shall have power to send for persons and papers, and to administer oaths and affirmations; and the report of such investigation,

with the testimony, shall be made to the governor, and shall be submitted by him, with his suggestions, to the General Assembly.

(d) In any matter affecting the general health or sanitation of any of the institutions under its control, the State Board of Charities and Corrections shall call upon the State Board of Health for advice and assistance, and the State Board of Health shall freely render same. In like manner, all other state departments, including the various departments of the University of Kentucky, shall, when request therefor is made by said Board of Charities and Corrections, extend, in their several fields of service, such advice and other assistance as they may be able to give.

§ 4. The board having in mind the welfare of the inmates of the several institutions under its control and the interests of the Commonwealth, shall encourage the employment in every proper way of said inmates in such ways as shall contribute to their physical, mental and moral improvement, and to the cost of their maintenance; and to this end the board shall have authority to utilize the product of such inmate labor in the upkeep or maintenance of the respective institutions or for other departments of the state government and to transfer from one institution to another, or otherwise dispose of, as may, in its judgment, be best, any surplus thus products produced.

§ 5. Before entering upon the discharge of his or her duties each commissioner shall take the oath of office required of other state officers, a record of which shall be entered upon the Executive Journal in the Governor's office and shall execute bond to the Commonwealth of Kentucky in the sum of ten thousand ($10,000.00) dollars, and shall give as surety thereon a solvent recognized surety or guaranty company, the premium on said bond to be paid by the state. Said bond to be sufficient must be approved by the Governor and filed in the office of the Secretary of State. The Governor may, after a hearing, remove any member of said board for cause,

to be stated in writing, and may fill vacancies in the board subject to the approval of the Senate when it convenes.

§ 6. The board shall be provided with suitable offices at the capitol, which offices shall at all times during office hours be in charge of some responsible official.

§ 7. The board shall meet at least once a month. It shall annually select from its members a chairman, but it shall not be required that said chairman or any other member of the board reside or remain in Frankfort. The board shall adopt such by-laws and regulations for the transaction of its business and the management of its affairs and for the management of the institutions under its charge as it may consider expedient and as are not inconsistent with law. It shall keep a record of all its proceedings and of all the receipts and disbursements made under its management, which record shall be open at all times to inspection by the Governor or a committee of the Legislature or any person appointed by either the Governor or the Legislature to examine or inspect same.

§ 8. The board shall appoint as its principal agent a person to be known as the Commissioner of Public Institutions and shall fix his compensation. Said Commissioner of Public Institutions shall have general charge, subject to the supervision and control of the board, of the institutions of the state which are under the jurisdiction of said board, and shall perform such duties and exercise such powers as the board may, from time to time, direct. Said commissioner shall be subject to removal by the board at any time. The Commissioner of Public Institutions shall, under the direction and authority of the board, and with its approval, establish and enforce a system of open and competitive bidding on and purchasing of all institution supplies where and whenever such supplies can be so purchased to the advantage of the state and its wards and in making such purchases, supplies common to two or more institutions may be included in one contract.

§ 9. Before entering upon his duties the Commissioner of Public Institutions shall take the oath of office required of other state officers, a record of which shall be entered upon the Executive Journal in the Governor's office, and he shall execute a bond to the Commonwealth of Kentucky in the sum of twenty-five thousand dollars ($25,000.00) for the faithful discharge of his duties and shall give as surety on said bond a solvent and recognized surety or guaranty company, the premium on same to be paid by the state. Said bond to be sufficient must be approved by the chairman of the board and filed in the office of the Secretary of State.

§ 10. The board shall appoint, upon the recommendation of the Commissioner of Public Institutions, a superintendent for each of the institutions under its management and control, and shall fix the compensation of each of said superintendents. The qualifications of the superintendents and of all assistants and employes in each institution shall be such as the board may prescribe; provided, however, that the superintendent of the House of Reform for Girls shall be a woman. The superintendents shall employ such number of officers and employes and at such salaries as the board may, from time to time, prescribe, but the superintendent of each institution shall have full authority to employ and discharge all officers and employes of his or her respective institution except the receiver or other officer or employe charged with the duty of buying or receiving supplies, which officer or employe shall be appointed by the board. No member of the board shall recommend or urge that any person shall be employed by such superintendents in any capacity in any of the institutions placed under their control, and the superintendent of each institution shall be held fully responsible by the board for the satisfactory management of said institution and shall be subject to removal at any time by the board.

§ 11. Before entering upon his duties each superintendent shall take an oath to faithfully discharge the duties of such superintendent and shall execute bond in the sum of ten

thousand dollars ($10,000.00) and shall provide as surety on said bond a solvent and recognized surety or guaranty company and the premium on same shall be paid by the state. Said bond, in order to be sufficient, shall be approved by the chairman of the board and filed in the office of the Secretary of State.

§ 12. Each superintendent of an institution under the control and management of the board shall prepare and submit to the board annually, or oftener if required by the board, a budget or estimate of the expenditures required for the maintenance and conduct of such institution and the board shall prepare an annual budget for all of the institutions and agencies under it and submit same to the Governor or the Budget Appropriations Commissioner. The board may apportion the appropriations made for the benefit of the institutions under the control and management of the board as between the various institutions in such manner as in its judgment the interests of such institutions require. Appropriations made for said board shall be payable by warrant drawn by the auditor on the request of the Commissioner of Public Institutions approved by the chairman of the board.

§ 13. The board may issue license to charitable organizations or representatives thereof to solicit funds in the state of Kentucky, and no such organization or any representative thereof shall solicit funds outside of the county in which it is located unless license permitting same is issued to it by the said board. Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction shall be fined in the sum of not less than fifty ($50.00) nor more than two hundred ($200.00) dollars.

§ 14. All existing offices or positions in connection with any of the institutions under said board except those created by this act are hereby abolished, and the board shall provide for such officers and employes of each institution and for such clerical and other assistants for itself as it may deem necessary. All officers and employes under the Board

of Charities and Corrections shall be selected for merit and fitness only and with the exception of persons employed for a special or temporary service shall give all of their time to the service of the board.

§ 15. The board shall make rules and regulations for the strictly non-partisan management of the institutions under its control. Any member or employe of the board, or any officer or employe of any institution under its control, who shall engage in political activity or who shall in any manner contribute, or cause to be contributed, money or any other thing of value to any person for election purposes, or who shall influence or attempt to influence legislation through the instrumentality of his official position, shall be removed from his office or position by the board in case of an officer or employe, and by the Governor in case of a member of the board. Any person or persons wilfully violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be fined in any sum not less than $50.00 nor more than $1,000.00.

§ 16. There is hereby appropriated to the Board of Charities and Corrections the sum of thirty thousand ($30,000.00) dollars annually, or so much thereof as may be necessary to maintain its offices, pay the expenses of its members and the salaries of the Commissioner of Public Institutions, the secretary of the board and the stenographers and clerical assistants in its office and such other expenses as may properly be incident to the performance of its duties and which are not otherwise provided for.

§ 17. If any provision of this act shall be held, for any reason, to be void or ineffective this shall not affect the remainder of the act.

§ 18. All acts or parts of acts inconsistent herewith are hereby repealed.

§ 19. Whereas it is necessary for the efficient management of the institutions named in this act that a Commissioner of Public Institutions be appointed at once and that

the appropriation provided herein for the State Board of Charities and Corrections be made available without delay, an emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval as required by law.

Mr. Hardin offered the following amendment, viz.:

Amend H. B. 218 by striking out the word "no," following the period in line 8, section 1, page 2, and by striking out all of line 9 on page 2 of said section and inserting in lieu thereof the following: The members of said board shall be equally divided as to political affiliation, between the two dominant political parties in this state. No member of the board shall be considered a member of either political party unless he or she supported the nominees of that party at the last state election next preceding his or her appointment.

Mr. Murphy moved to make H. B. 218 a special order for Thursday, February 5th, at 11:00 a. m.

Said motion was rejected.

Then Mr. Hardin offered the following amendment to amendment No. 1, viz.:

This amendment shall not affect the board as at present constituted.

Mr. Lazarus indicated that the hour of 12:30 had arrived for special order, House Bill No. 253.

Mr. Waggoner moved to defer the special order until the consideration of House Bill No. 218 was completed.

Said motion was agreed to.

Then the question was taken on the amendment of Mr. Hardin to amendment No. 1.

On a division of the House the vote stood: for said motion, 39; against said motion, 46.

So the amendment to the amendment was lost.

Then a roll call was demanded on Mr. Hardin's amendment (amendment No. 1) and the roll call being taken resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Griffin Kelly | John T. E. Stites |
| W. T. Beckham | Frank Kennard | Frank L. Strange |
| T. L. Caudel | J. M. Knott | John W. Swope |
| B. L. Cox | Dr. S. D. Laughlin | John B. Thomas |
| P. A. Day | Rev. J. A. Lee | J. Mack Thompson |
| H. C. Duffy | Elmer Lusby | J. H. Thompson |
| J. W. Geveden | Claude D. Minor | Dr. D. J. Travis |
| Dr. W. L. Gossett | John T. Murphy | J. Wood Vance |
| A. L. Hamilton | Chas. A. Nelson | Geo. C. Waggoner |
| E. C. Hardin | B. F. Reynolds | Dr. T. R. Welch |
| D. J. Howard | Chas. R. Scott | W. G. Wheeler |
| Robt. Humphreys | W. P. Scott | W. N. Winn |
| J. W. Johnson | Dr. B. F. Shields | —38 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | H. N. Dean | Hebron Lawrence |
| L. H. Ballard | J. B. Denues | Joseph Lazarus |
| H. H. Barnes | J. M. Foster | R. C. Marcum |
| S. M. Bennett | Dr. T. H. Gamblin | I. S. Mason |
| J. M. Billiter | B. J. Goehringer | A. J. McCandless |
| Rodney G. Bryson | Talbert Holliday | R. L. McFerron |
| Roy J. Cain | A. R. Hudson | Homer C. McLellen |
| W. T. Carner | Adam W. Huff | Mack J. Morgan |
| J. F. Carr | R. O. Huntsman | Estill W. Neel |
| Charles M. Ciarlo | Henry Kaufman | T. C. Pryse |
| J. S. Cruse | W. L. Kimbrough | S. C. Ray |

| | | |
|---|---|---|
| Sherman Robbins | Wm. A. Stewart | A. M. Wash |
| Lee Rogers | T. R. Stults | J. S. Webb |
| B. A. Roth | C. B. Truesdell | Gladstone Wesley |
| Dr. Lewis Ryans | John L. Trumbo | R. E. Wilborn |
| S. G. Smith | Fred C. VanHoose | Dr. W. S. Yazell |
| R. Lee Stewart | Daniel Vose | —50 |

So said amendment was lost.

Mr. Kelly moved that the session be indefinitely extended.

Said motion was adopted.

Mr. Murphy offered the following amendment to H. B. No. 218, viz.:

Amend section 1 in line 8 after the word "years" by striking out "no," in line 8, and all of line 9 and insert in lieu thereof "all members shall be of the same political party."

After some discussion said amendment was by unanimous consent withdrawn.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | W. T. Beckham | Rodney G. Bryson |
| L. H. Ballard | S. M. Bennett | Roy J. Cain |
| H. H. Barnes | J. M. Billiter | W. T. Carner |

| | | |
|---|---|---|
| J. F. Carr | Dr. S. D. Laughlin | S. G. Smith |
| Charles M. Ciarlo | Hebron Lawrence | R. Lee Stewart |
| B. L. Cox | Joseph Lazarus | Wm. A. Stewart |
| J. S. Cruse | Rev. J. A. Lee | John T. E. Stites |
| P. A. Day | Elmer Lusby | Frank L. Strange |
| H. N. Dean | R. C. Marcum | T. R. Stults |
| J. B. Denues | I. S. Mason | John W. Swope |
| J. M. Foster | A. J. McCandless | J. Mack Thompson |
| Dr. T. H. Gamblin | R. L. McFerron | J. H. Thompson |
| B. J. Goehringer | Homer C. McLellen | Dr. D. J. Travis |
| J. W. Geveden | Claude D. Minor | C. B. Truesdell |
| A. F. Hanberry | John T. Murphy | John L. Trumbo |
| E. C. Hardin | Estill W. Neel | J. Wood Vance |
| Talbert Holliday | T. C. Pryse | Fred C. VanHoose |
| D. J. Howard | S. C. Ray | Daniel Vose |
| A. R. Hudson | B. F. Reynolds | A. M. Wash |
| Adam W. Huff | Sherman Robbins | J. S. Webb |
| Robt. Humphreys | Lee Rogers | Gladstone Wesley |
| R. O. Huntsman | B. A. Roth | R. E. Wilborn |
| Henry Kaufman | Dr. Lewis Ryans | W. N. Winn |
| Griffin Kelly | Chas. R. Scott | Dr. W S. Yazell |
| W. L. Kimbrough | W. P. Scott | |
| J. M. Knott | Dr. B. F. Shields | —76 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | Dr. T. R. Welch |
| H. C. Duffy | Frank Kennard | |
| Dr. W. L. Gossett | Chas. A. Nelson | —7 |

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance asked unanimous consent to correct typographical error in project 14 of House Bill No. 60, which was granted.

Dr. Gossett moved that the House do now adjourn.

Mr. Lazarus demanded a division on said motion.

Then the House divided and the vote stood as follows, viz.:

For adjourning, 30.

Against adjourning, 35.

So the motion was lost.

The House took up for consideration the special order, viz.:

H. B. 253. An act to abolish the department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the offices of State Forester, and State Geologist attached thereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the Department of Geology and Forestry as provided for in chapter 35, Acts of 1918, and chapter 59, Ky. Stat., Carroll, vol. 3, 1918, section 2007-A, 1, to 2007-G, 31, inclusive.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That sections 1, 2, 3, 4, 5 and 6 of chapter 35, Acts of 1918, and chapter 59, Ky. Stats., Carroll, vol. 3, 1918, and 2007-A, 1, to 2007-G, 31, inclusive, creating the office of Com-

missioner of Geology and Forestry and providing for a deputy and extending the appropriation to the Kentucky Gelogical Survey, and all laws now in force relating to the Kentucky Geological Survey and the State Board of Forestry, whether incorporated in said act or not, are hereby expressly repealed, and the office of Commissioner of Geology and Forestry, and the office of Deputy Commissioner of Geology and Forestry are hereby abolished, and all appropriations pertaining thereto, or relating thereto, in any way whatsoever, including salaries of the Commissioner and his deputy are hereby expressly set aside and discontinued, and all funds unexpended shall immediately revert to the state treasury.

§ 2. That all properties relating to or belonging to the office of State Forester, or the former Board of Forestry, and all properties relating to forestry now in the custody, care and control of the Commissioner of Geology and Forestry, such as maps, reports, forestry library, nursery stock, nursery utensils, forest reserves owned by the Commonwealth and used or maintained properly in carrying on forestry activities, are hereby assigned to the custody, care and control of the Commissioner of Agriculture, Labor and Statistics, who shall immediately assume responsibility for and control of same, and take such steps as may be necessary or expedient for their preservation.

§ 3. This act shall take effect immediately upon its passage by the Legislature and its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | R. O. Huntsman | W. P. Scott |
| Sidney Alfrey | J. W. Johnson | Dr. B. F. Shields |
| L. H. Ballard | Henry Kaufman | S. G. Smith |
| H. H. Barnes | Frank Kennard | R. Lee Stewart |
| W. T. Beckham | W. L. Kimbrough | Wm. A. Stewart |
| S. M. Bennett | J. M. Knott | John T. E. Stites |
| Roy J. Cain | Dr. S. D. Laughlin | Frank L. Strange |
| W. T. Carner | Hebron Lawrence | T. R. Stults |
| J. F. Carr | Joseph Lazarus | John W. Swope |
| T. L. Caudel | Rev. J. A. Lee | John B. Thomas |
| Charles M. Ciarlo | R. C. Marcum | J. Mack Thompson |
| B. L. Cox | I. S. Mason | J. H. Thompson |
| P. A. Day | A. J. McCandless | C. B. Truesdell |
| H. N. Dean | R. L. McFerron | John L. Trumbo |
| J. B. Denues | Homer C. McLellen | J. Wood Vance |
| J. M. Foster | Claude D. Minor | Fred C. VanHoose |
| Dr. T. H. Gamblin | John T. Murphy | Daniel Vose |
| B. J. Goehringer | Estill W. Neel | A. M. Wash |
| J. W. Geveden | Chas. A. Nelson | J. S. Webb |
| Dr. W. L. Gossett | T. C. Pryse | Gladstone Wesley |
| A. L. Hamilton | S. C. Ray | W. G. Wheeler |
| E. C. Hardin | Sherman Robbins | R. E. Wilborn |
| Talbert Holliday | Lee Rogers | W. N. Winn |
| D. J. Howard | B. A. Roth | Dr. W. S. Yazell |
| Adam W. Huff | Dr. Lewis Ryans | |
| Robt. Humphreys | Chas. R. Scott | —76 |

Those who voted in the negative were—

| | | |
|---|---|---|
| H. C. Duffy | Dr. D. J. Travis | Dr. T. R. Welch |
| B. F. Reynolds | | —4 |

Resolved, that the title thereof be as aforesaid.

Mr. Roth moved that the vote by which said bill was passed be reconsiderd and that said motion lie on the table.

Said motion was agreed to.

Mr. McLellen moved to reconsider the vote by which House Bill No. 158 was transferred from the Committee on Railroads to the Committee on Kentucky Statutes.

Said motion was lost.

Dr. Ryans moved that all bills in the calendar be now read by their titles only.

Said motion was adopted.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 181. An act to prohibit and provide penalties for the manufacture, sale, transportation or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder.

H. B. 151. An act requiring persons listing property for taxation to show whether the same or any part thereof is located in a graded school district.

H. B. 228. An act in relation to 798 shares of stock held by the State Board of Education of the Commonwealth of Kentucky in the National Bank of Kentucky, and authorizing its exchange for stock in the National Bank of Kentucky, which was consolidated with the National Bank of Commerce and the American Southern National Bank, in the proportion of .6079 shares of new stock in the consolidated bank to each share of stock in the old bank, and a cash bonus on each share

of the old stock in addition thereto, and authorizing the Sinking Fund Commissioners to invest the cash received from said exchange in bonds of the United States.

H. B. 163. An act to provide for teaching the art of debating in the public and high schools of the Commonwealth and to require teachers to be examined on that subject.

H. B. 150. An act to repeal section 3, chapter 130, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the county board of education and fixing the minimum salary of teachers.

H. B. 191. An act empowering the boards of education of graded school districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

H. B. 124. An act to provide for the American Creed to be read in school.

H. B. 159. An act to repeal and re-enact section 2711, subsections a-5 and a-54, chapter 86, Carroll's 1915 edition, Kentucky Statutes, volume 3, being subsections 5 and 54 of chapter 43 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled, "An act to provide for the organization, armament, equipment, discipline and government of the militia."

H. B. 104. An act defining optometry, creating and establishing the Kentucky State Board of Examiners in optometry, its duties and powers, providing for the examination, licensing and registering of persons to practice optometry, for the revocation and suspension of such licenses, for the registering of students in optometry and providing penalties for violations thereof.

H. B. 41. An act to repeal sections 2 and 5 of chapter 11, which is an act entitled, "An act to abolish the assessor's office and provide in lieu thereof a county tax commission, and the duties of taxpayers in relation thereto."

H. B. 209. An act relating to revenue and taxation; amending an act of May 2, 1917, entitled, "An act relating to revenue and taxation," which same is section 4019a-5, Kentucky Statutes, 1918.

S. B. 23. An act to amend and re-enact section 561, Kentucky Statutes, Carroll's edition, 1915, relating to the termination of the existence of corporations, by providing that a declaration of such termination shall be filed in the office of the Secretary of State.

H. B. 230. An act to amend section 2022 of the Kentucky Statutes (Carroll's 1915 edition), by adding at the end of said section the words, "Provided, however, that if the parents of the minor be living, the court shall summon them to appear and ascertain whether or not the person nominated is a competent person to be guardian for said minor," and re-enact the same.

Ordered, that said bills be read the second time.

The provision of the Constitution, as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

Mr. Strange moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 1:37 p. m., adjourned.

WEDNESDAY, FEBBRUARY 4, 1920.

The House was called to order by the Speaker at 10:00 a. m.

The House was opened with prayer by the Rev. M. S. Clark, pastor of the Methodist church, of the city of Frankfort, Kentucky, at 10 a. m.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz:

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | Chas. A. Nelson |
| Sidney Alfrey | A. R. Hudson | T. P. Oliver |
| L. H. Ballard | Adam W. Huff | T. C. Pryse |
| H. H. Barnes | Robt. Humphreys | S. C. Ray |
| W. T. Beckham | R. O. Huntsman | B. F. Reynolds |
| S. M. Bennett | J. W. Johnson | Sherman Robbins |
| J. M. Billiter | Henry Kaufman | Lee Rogers |
| Jo F. Bosworth | Griffin Kelly | B. A. Roth |
| Rodney G. Bryson | Frank Kennard | Dr. Lewis Ryans |
| Roy J. Cain | W. L. Kimbrough | Chas. R. Scott |
| W. T. Carner | J. M. Knott | W. P. Scott |
| J. F. Carr | Dr. S. D. Laughlin | S. G. Smith |
| T. L. Caudel | Hebron Lawrence | R. Lee Stewart |
| Charles M. Ciarlo | Joseph Lazarus | Wm. A. Stewart |
| J. S. Cruse | Rev. J. A. Lee | John T. E. Stites |
| P. A. Day | Elmer Lusby | Frank L. Strange |
| H. N. Dean | R. C. Marcum | T. R. Stults |
| J. B. Denues | I. S. Mason | John W. Swope |
| H. C. Duffy | A. J. McCandless | John B. Thomas |
| J. M. Foster | R. L. McFerron | J. Mack Thompson |
| Dr. T. H. Gamblin | Homer C. McLellen | J. H. Thompson |
| B. J. Goehringer | Claude D. Minor | Dr. D. J. Travis |
| J. W. Geveden | Mack J. Morgan | C. B. Truesdell |
| A. L. Hamilton | John T. Murphy | John L. Trumbo |
| Talbert Holliday | Estill W. Neel | J. Wood Vance |

| | | |
|---|---|---|
| Fred C. VanHoose | J. S. Webb | V. M. Williamson |
| Daniel Vose | Dr. T. R. Welch | W. N. Winn |
| Geo. C. Waggoner | Gladstone Wesley | Dr. W. S. Yazell |
| A. M. Wash | R. E. Wilborn | —86 |

On motion of Mr. Roth the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Wheeler was granted an indefinite leave of absence on account of sickness.

Mr. Waggoner moved that in our daily sessions the House recess from 12:30 p. m. to 1:15 p. m.

Said motion was adopted.

Mr. Waggoner introduced the following resolution, viz.:

THE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF KENTUCKY.

*To the Bereaved Family of Col. Jack Chinn*:

Whereas, the great and supreme Ruler of the Universe has, in his infinite wisdom, removed from among us one of the famous and esteemed citizens of our state, Col. Jack Chinn, the soldier, statesman, leader and turfman; and,

Whereas, his long and successful record in "the General Assembly of Kentucky" makes it eminently befitting that we record our appreciation of him; therefore,

Be it resolved, that this honorable body extend its deepest sympathy to the bereaved family and express the sincere hope that each member's grief in said family may be consoled with the sweet belief that Col. Jack Chinn's great life may live forever.

(Signed) GEORGE C. WAGGONER,
CHARLES A. NELSON,
*Committee.*

Mr. Waggoner moved that said resolution be adopted and that a copy thereof be sent to the family of Col. Jack Chinn, Harrodsburg, Kentucky.

Said resolution was unanimously adopted.

On a call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed and referred to the committees indicated, viz.:

By Mr. Geveden:

H. B. 333. An act to amend and re-enact sections 415B-6 and 415B-15, Kentucky Statutes, Carroll's edition, 1918, relating to Confederate soldiers' pension.

To Committee on Confederate Home.

By Mr. Thompson:

H. B. 334. An act relating to revenue and taxation; providing that the assessment made by the county tax commissioner and equalized by the county board of supervisors shall be the basis for taxation in all cities and towns, prescribing duties of officers in connection therewith and repealing certain sections of the Kentucky Statutes.

To Committee on Revenue and Taxation.

By Mr. Cain:

H. B. 335. An act to amend section 18 of chapter 112 of the Session Acts of 1918 of the General Assemly of Kentucky, said amendment authorizing the sheriff and his deputies to kill unlicensed dogs found running at large, and providing for the payment of the sheriff and his deputies for such service.

To Committee on Agriculture.

By Mr. Ciarlo:

H. B. 336. An act to amend and re-enact section 21, chapter 1 of title 3 of the Kentucky Code of Civil and Criminal Practice.

To Committee on Codes of Practice.

By Mr. Denues:

H. B. 337. An act to amend an act entitled, "An act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-first and Twenty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in the other districts affected."

To Committee on Redistricting, Judicial.

By Mr. Smith:

H. B. 338. An act to repeal an act entitled, "An act to require incorporated cities and towns to maintain government by the election of officers and the levying and collecting of taxes of such cities and towns and providing for forfeiture of charter and manner of proceeding therein," being chapter 152 of the Acts of 1918.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Hamilton:

H. B. 339. An act to create an Efficiency and Economy Commission, prescribing its duties, and fixing for the payment of the expenses thereof.

To Committee on Public Offices.

By Mr. Hamilton:

H. B. 340. An act to regulate the practice of chiropody (podiatry) in the state of Kentucky, to provide for the establishment of a State Board of Chiropody (Podiatry) Examiners, to define the duties and powers of said board. To provide for the examining and registering of chiropodists (podiatrists) in this state and to provide penalties for the violation of this act.

To Committee on Public Health.

By Mr. Hamilton:

H. B. 341. An act providing that marriage of a female ward discharges guardianship, and entitles her to demand a settlement with her guardian, after she has attained the age of nineteen years.

To Committee on Kentucky Statutes.

By Mr. Huff:

H. B. 342. An act to repeal section 3484 of the Kentucky Statutes, Carroll's edition, 1915, and to enact the following in lieu thereof.

To Committee on Cities of the Fourth Class.

By Mr. Smith:

H. B. 343. An act to repeal an act entitled, "An act for the improvement of the public highways of this Common-

wealth," being chapter 169 of the Acts of 1918, relating to the removal of weeds, shrubs, etc., by the owners and controllers of lands abutting on the public highways.

To Committee on Public Roads and Highways:

By Mr. Hudson:

H. B. 344. An act giving to Boards of Education of any school district in this state the right to require the parents, guardian or custodian of all children between the ages of 14 and 16 years, who are not enrolled in and attending a public, private or parochial school, to cause such children to attend a continuation school, and to require employers having children between said ages in their employment to permit them to attend such school.

To Committee on Education No. 1.

By Mr. Hudson:

H. B. 345. An act to authorize boards of education of cities of the first class to confer upon students who have completed the full course in the normal school of such cities an advanced certificate to teach in the public schools of the state.

To Committee on Education No. 1.

By Mr. Goehringer:

H. B. 346. An act to amend and re-enact section 911 of the Kentucky Statutes, Carroll's edition, 1915, relating to official indexers.

To Committee on Municipalities.

By Mr. Goehringer:

H. B. 347. An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this act; making certain acts criminal and punishing the same.

To Committeee on Public Health.

By Mr. Goehringer:

H. B. 348. An act to amend and re-enact section 2777, Carroll's Kentucky Statutes, edition of 1915, being section 15 of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893.

To Committee on Municipalities.

By Mr. Goehringer:

H. B. 349. An act to amend and re-enact section 4 of an act entitled, "An act to provide a deputy or clerk for the coroner of counties in the Commonwealth having a population of 200,000 or over, approved March 20, 1914, said section being subsection 4 of section 537-B, Carroll's Kentucky Statutes

To Committee on Municipalities.

By Mr. Roth:

H. B. 350. An act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent and other children; and providing for the creation and maintenance of a board to establish and maintain

such institution, and defining the powers and duties of said board, and permitting, in such counties, a consolidation, under such board, of municipal and county institutions engaged in such work, and providing for the conveyance to, and the acceptance by, such board, of property for the use of such board in carrying out the purposes of this act; and authorizing the levy and collection of taxes to raise funds for the purpose of this act; and repealing the act approved March 15, 1912, entitled, "An act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this act;" and repealing the act approved March 9, 1854, creating the Board of Managers of the Louisville House of Refuge and all acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the act approved March 3, 1860, the act approved January 27, 1866, the act approved January 31, 1867, the act approved February 27, 1867, the act approved March 29, 1873, and the act approved May 13, 1886, and for other related purposes.

To Committee on Municipalities.

By Mr. Lazarus:

H. B. 351. An act to amend and re-enact section 112 and to repeal section 116 of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893.

To Committee on Kentucky Statutes.

By Mr. Lazarus:

H. B. 352. An act prescribing the duties of the clerk of the State Fiscal Court, and providing compensation for his services required hereinunder.

To Committee on Kentucky Statutes.

By Mr. Lazarus:

H. B. 353. An act to grant immunity to all persons who have failed to assess intangible property in previous years provided such property is assessed by the owners thereof for taxation as of July 1st, 1920.

To Committee on Revenue and Taxation.

By Mr. Lazarus:

H. B. 354. An act to amend and re-enact section 1488, Kentucky Statutes (Carroll's 1915 edition), and also to amend and re-enact sections 1 and 2 of chapter 136 of the Acts of 1918, relating to registration of voters in cities of the first, second, third and fourth classes.

To Committee on Kentucky Statutes.

By Mr. Lazarus:

H. B. 355. An act providing the manner in which judges of the Court of Appeals of the Commonwealth of Kentucky and judges of the circuit courts of the Commonwealth of Kentucky are to be nominated and elected, and making it unlawful for any political party or organization to nominate any person as a candidate for judge of the Court of Appeals or for circuit judge, and making it unlawful for any candidate for said offices to seek or accept the nomination for such office as the candidate of any political party or organization, and prescribing the manner in which the names of candidates for said offices are to be placed upon the official general election ballot.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 356. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

To Committee on Appropriations.

By Mr. Hudson:

H. B. 357. An act to regulate and license the manufacturing, altering, repairing, finishing or making for wages or for sale any coats, vests, pants, trousers, overalls, cloaks, hats, caps, suspenders, jerseys, blouses, dresses, waists, waist bands, underwear, neckwear, knit goods of any kind, furs, fur trimmings, fur garments, skirts, shirts in dwelling or tenement houses and to provide for punishment for violation thereof.

To Committee on Criminal Law.

By Mr. Kaufman:

H. B. 358. An act to amend an act entitled, "An act to amend section 6 of the act approved March 23, 1910, entitled, 'An act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy,'" being chapter 121 of the Acts of 1916; and also to amend subsection 7 of section 2978c of the Kentucky Statutes (edition of 1915) relating to the duties of truant officers.

To Committee on Education No. 1.

By Mr. VanHoose:

H. B. 359. An act requiring the teaching in public schools of humane treatment of animals.

To Committee on Criminal Law.

By Mr. Bryson:

H. B. 360. An act to amend section 2218 entitled, "Legal rate, six per cent," of chapter 72, the Kentucky Statutes, enacted December 30th, 1902, entitled "Interest and Usury."

To Committee on Banks and Banking.

By Mr. Bryson:

H. B. 361. An act to amend subsection 2 of section 1847 of Carroll's 1915 edition of Kentucky Statutes, third volume, and re-enact same, relating to compensation of members of the fiscal courts.

To Committee on City and County Courts.

By Mr. Bryson:

H. B. 362. An act to create the office of comptroller as desired by the voters of the various cities, districts and counties of this Commonwealth, providing for his powers, duties, responsibilities and compensation and penalties for the violation of the provisions hereof by the comptroller or other persons.

To Committee on Public Offices.

By Mr. Ballard:

H. B. 363. An act empowering fiscal courts to require any person, corporation, company, partnership or associa-

tion owning a railway over which there are operated trains propelled by steam, motor or electric power, to erect and maintain an automatic alarm bell, automatic gates or other mechanical devices within their respective territorial jurisdictions at any highway or public road crossing at which the public safety may in the opinion of said courts require.

To Committee on Railroads.

By Mr. Ballard:

H. B. 364. An act to abolish the office of trustee of the jury fund, which shall become operative on and after the first Monday in January, 1922, and to require Clerks of the circuit courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921 to perform thereafter all the duties required by the trustees of the jury fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of circuit clerks.

To Committee on Circuit Courts.

By Mr. Wash:

H. B. 365. An act to amend and re-enact section 762a-8, Kentucky Statutes, Carroll's edition, 1915, relating to unfair discrimination between risks insured by fire insurance companies authorized to do business in the Commonwealth of Kentucky.

To Committee on Insurance, Fire and Marine.

By Mr. Lawrence:

H. B. 366. An act to repeal and re-enact sections 4223b-1 and 4223b-2 and 4223b-3 and 4223-4, Kentucky Statutes, Carroll's 1918 edition, volume III, relating to race track license.

To Committee on Revenue and Taxation.

By Mr. Kennard:

H. B. 367. An act entitled an act to prohibit the playing of base ball on Sunday.

To Committee on Kentucky Statutes.

By Mr. Kennard:

H. B. 368. An act to change and fix the times for holding the terms of circuit court in the Thirty-sixth Circuit Court Judicial District of Kentucky (composed of the counties of Wolfe, Morgan and Magoffin), and declaring an emergency.

To Committee on Circuit Courts.

By Mr. Webb:

H. B. 369. An act to amend and re-enact section 328 of the Kentucky Statutes relative to the support of minor children by their parents.

To Committee on Juvenile Courts and Children's Home.

By Mr. Wesley:

H. B. 370. An act relating to railroads; providing for the better protection of the traveling public, transportation of property and the employes of railroads.

To Committee on Railroads.

By Mr. Strange:

H. B. 371. An act to amend section 4, chapter 87, Acts of 1916. An act regulating trapping and for the protection of

fur-bearing animals and providing penalties for violation of act; and repealing all other laws and parts of laws in conflict with the provisions of this act.

To Committee on Fish and Game.

By Mr. Geveden:

H. B. 372. An act to provide revenue for common schools and public roads.

To Committee on Public Roads and Highways.

By Mr. Barnes:

H. B. 373. An act to establish and regulate an institution for the confinement, care and reformation of delinquent women, and to make an appropriation therefor.

To Committee on Appropriations.

By Mr. Barnes:

H. B. 374. An act to amend and re-enact sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 edition, being a part of the charter of cities of the second class, for the better government, administration and disposition and discipline of the police and fire department, and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustes for the management and conduct thereof, and to pension members thereof after service of a term of years.

To Committee on Municipalities.

By Mr. Huntsman:

H. B. 375. An act to amend and re-enact section 214 of Kentucky Code, Carroll's edition, 1906.

To Committee on Codes of Practice.

By Mr. Huntsman:

H. B. 376. An act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio river and its Kentucky tributaries belonging to or controlled by the state of Kentucky, and to regulate the catching of said shells and to have authority to cooperate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this act.

To Committee on Retrenchment and Reform.

By Mr. Huntsman:

H. B. 377. An act regulating the qualifications of members of the State Racing Commission.

To Committee on Racing Commission.

By Mr. Huntsman:

H. B. 378. An act to repeal section 962b of Kentucky Statutes, Carroll's edition, 1915.

To Committee on Kentucky Statutes.

By Mr. Huntsman:

H. B. 379. An act to exempt from tax one dog to each housekeeper actually residing upon a farm and engaged in farming.

To Committee on Judiciary.

By Mr. Goehringer:

H. B. 380. An act to provide the pupils of the public schools of Kentucky with free text books and providing for rules governing the use and distribution and care thereof and providing for the payment thereof.

To Committee on Education No. 2.

A message was received from the Senate announcing that that body had passed Senate Bill No. 25, entitled:

An act to repeal and re-enact subdivision IX of article IV of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, and the amendment thereto as provided in chapter 78, at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918, and relating to the government of cities of the third class, and providing for a system of public schools and the election, qualification, term of office and meetings of the board of education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education, providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employees and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the board of education, limiting the amount of tax that may be levied for school pur-

poses, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the board of education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

And asking the concurrence of this House therein.

Said bill was ordered to be printed and referred to Committee on Education No. 1.

Also a message was received from the Senate that that body had passed Senate Bill No. 17, entitled:

"An act to amend subsection 9 of section 331e of chapter 18 of the Kentucky Statutes," which was an act of February 24th, 1894, pertaining to children destitute or maltreated.

Said bill was ordered to be printed and referred to the Committee on Juvenile Courts and Children's Home.

Mr. Reynolds moved that the rules be suspended and that House Bill No. 104 be placed on its passage.

Said motion was disagreed to.

Then Mr. Reynolds moved that House Bill No. 104 be taken from the orders or the day and committed to the Committee on Public Health.

After some discussion said motion, by unanimous consent, was withdrawn.

Dr. Gossett was granted an indefinite leave of absence.

The following bills were delivered to committees to which they had been referred: House Bills numbered 136, 33, 94 and 112.

Upon a call of the standing committees for reports the following bills were reported, viz.:

By Mr. Minor, of the Committee on Banks and Banking:

H. B. 91. An act to amend and re-enact section 2218 of the Kentucky Statutes, being section 2218 of an act entitled, "Interest and Usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

With the expression of opinion that same ought to pass.

By Mr. Beckham, of the Committee on Constitutional Amendments.

H. B. 122. An act to amend section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

With the expression of opinion that same ought to pass.

By same:

H. B. 116. An act entitled an act providing for the submission to the voters of the state of Kentucky for their rejection or ratification, amendments to sections 91, 93 and 95 of the Constitution of the state of Kentucky.

With the expression of opinion that same ought to pass.

By Mr. Wash, of the Committee on Education No. 1.

H. B. 59. An act that section 4405, Kentucky Statutes, Carroll's 1915 ediiton, to be, and is, hereby amended and reenacted to read as follows: "to furnish text books for indigent children."

With the expression of opinion that same ought to pass with an amendment thereto.

By same:

H. B. 126. An act to abolish and recreating county board of education, prescribing its duties, fixing its tenure and compensation, and providing for the election or appointment of a county superintendent, fixing his qualifications and compensation and tenure of office and prescribing his duties, fixing his bond and providing for a minimum tax of thirty cents on the one hundred dollars' worth of taxable property and a capitation tax of one dollar for school purposes, and providing for the appointment of district trustees, fixing their duties and repealing subsections 3, 4, 6, 15 and 16 of section 4426A, and all laws and parts of laws in conflict with this act are hereby repealed.

With the expression of opinion that same ought to pass.

By same:

H. B. 32. An act to prohibit the publication of newspapers, periodicals and magazines in any language except the English language.

With an expression of opinion that same ought to pass with an amendment.

By Mr. Holliday, of the Committee on Forestry:

H. B. 261. An act creating the Kentucky Geological Survey, designatng its executive officer and his duties, and providing funds for its maintenance.

With the expression of opinion that same ought to pass.

By Mr. Waggoner, of the Committee on Cities of the Fourth Class:

H. B. 67. An act to amend the charter of cities of the fourth class, being article 5. chapter 89, Kentucky Statutes, by providing for the election of the mayor and councilmen by the voters of the city at large, and to repeal.

With the expression of opinion that same ought to pass.

By same:

H. B. 86. An act relating to cities of the fourth class, being an act to amend section 3511, Kentucky Statutes, Carroll's edition, 1915, entitled, "Qualifications of police judge."

With the expression of opinion that same ought to pass, with an amendment thereto.

By same:

H. B. 87. An act relating to cities of the fourth class, being an act to amend section 3512, Kentucky Statutes, Carroll's edition, 1915, entitled, "Special Judge---Provisions for Selecting."

With the expression of opinion that same ought to pass.

By same:

H. B. 114. An act to prescribe the duties of mayor, chairman and chairman pro tem., and fixing the number that shall constitute a quorum of a city council of the fourth, fifth and sixth classes, and fixing the liability of members of city councils.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 287. An act to provide for the payment of premiums on bonds executed by state officers elected by the voters of the state at large.

With the expression ofopinion that same ought to pass.

By Mr. Roth, of the Committee on Municipalities:

H. B. 215. An act to amend and re-enact section 2980 of the Kentucky Statutes (Carroll's edition, 1915) relating to revenue and taxation in cities of the first class.

With the expression of opinion that same ought to pass with an amendment thereto.

By same:

H. B. 81. An act to repeal section 3783, Kentucky Statutes, relating to county patrol and to re-enact the same so as to prescribe the duties, powers, salary and organization of county patrol in counties having a population of over 150,000 inhabitants.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

By Mr. Huntsman, of the Committee on Mines and Mining:

H. B. 190. An act to amend and re-enact section 2733A of Carroll's 1909 edition of Kentucky Statutes.

With the expression of opinion that same ought to pass.

By Dr. Yazell, of the Committee on Public Health:

H. B. 6. An act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of moving picture machines and providing penalties for violation of this act.

With the expression of opinion that same ought to pass.

By same:

H. B. 227. An act concerning the practice of the healing art in this state; relating to applications, examinations and certificates, and to fees therefor; and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments.

With the expression of opinion that same ought to pass with an amendment.

By same:

H. B. 176. An act to amend section 63 of the Kentucky Statutes, Carroll's edition, 1915, and acts amendatory thereto, relating to the State Board of Health, by repealing, amending and re-enacting sections 2047 and 2053 of said Statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board:

With the expression of opinion that same ought to pass.

By same:

H. B. 29. An act concerning dwelling houses in cities of the first, second, third and fourth classes and relating to their construction, re-construction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control and regulation, and providing penalties for violation of this act.

With the expression that same ought to pass with an amendment.

By Mr. Nelson, of the Committee on State Prisons and Houses of Reform:

H. B. 167. An act relating to penitentiaries; abolishing the offices of Assistant Deputy Wardens.

With the expression of opinion that same ought to pass.

By Mr. Beckham, of the Committee on State Fairs:

H. B. 236. An act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent Agricultural, Merchants and Manufacturers building upon said Kentucky State Fair Grounds.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Mr. Waggoner, of the Committee on Cities of the Fourth Class:

H. B. 156. An act amending and re-enacting section 3542, Kentucky Statutes, 1915, Carroll's edition, granting an

appeal from the Board of Supervisors in cities of the fourth class to the county courts of the county in which they are located.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the decision of the committee be the decision of the House?"

Said question was decided in the affirmative.

Said bill was refused its first reading.

By same:

H. B. 238. An act to fix the jurisdiction of police and city courts in cities of the fourth class in this Commonwealth.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the decision of the committee be the decision of the House?"

Said question was decided in the affirmative.

The bill was refused its first reading.

By same:

H. B. 85. An act to repeal and re-enact subsection 25 of section 3490 of the Kentucky Statutes, Carroll's edition of 1915, relating to the general powers of the city councils of cities of the fourth class in the state of Kentucky.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the decision of the committee be the decision of the House?"

Said question was decided in the affirmative.

Said bill was refused its first reading.

Mr. Neel moved that the Committee on Kentucky Statutes report Senate Bill No. 2.

Motion was seconded by Mr. Beckham but not voted upon.

Then Mr. Lazarus, of the Committee on Kentucky Statutes, reported:

Senate Bill No. 2. An act to amend section 1884 of Kentucky Statutes (Carroll's edition of 1915) relating to sheriffs' settlement, and advertising same.

With the expression of opinion that same ought not to pass.

Mr. Neel moved that the report of the Committee be adopted as the decision of the House.

Said motion was adopted and the first reading of the bill was thereby refused.

Mr. Beckham moved that the vote by which Senate Bill No. 2 was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Thomas moved that the House do not recess today.

Said motion was agreed to.

The following bills passed by the House were sent to the Senate, viz.:

House Bills numbered 157, 53, 195, 119, 108, 16, 253, 218, 66, 76, 56, 97.

Mr. Lawrence moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 1 p. m., adjourned.

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THURSDAY, FEBBRUARY 5, 1920.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the First Presbyterian church, of the city of Frankfort, Kentucky, at 10 a. m.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

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| Lon Adams | Dr. W. L. Gossett | R. L. McFerron |
| Sidney Alfrey | A. L. Hamilton | Homer C. McLellen |
| L. H. Ballard | Talbert Holliday | Claude D. Minor |
| S. M. Bennett | A. R. Hudson | Mack J. Morgan |
| J. M. Billiter | Adam W. Huff | John T. Murphy |
| Jo F. Bosworth | Robt. Humphreys | Estill W. Neel |
| Rodney G. Bryson | J. W. Johnson | Chas. A. Nelson |
| Roy J. Cain | Henry Kaufman | T. P. Oliver |
| W. T. Carner | Griffin Kelly | S. C. Ray |
| J. F. Carr | Frank Kennard | B. F. Reynolds |
| T. L. Caudel | W. L. Kimbrough | Sherman Robbins |
| Charles M. Ciarlo | J. M. Knott | Lee Rogers |
| J. S. Cruse | Dr. S. D. Laughlin | B. A. Roth |
| P. A. Day | Hebron Lawrence | Dr. Lewis Ryans |
| H. N. Dean | Joseph Lazarus | Chas. R. Scott |
| J. B. Denues | Rev. J. A. Lee | W. P. Scott |
| H. C. Duffy | Elmer Lusby | Dr. B. F. Shields |
| J. M. Foster | R. C. Marcum | S. G. Smith |
| Dr. T. H. Gamblin | I. S. Mason | H. A. Spillman |
| J. W. Geveden | A. J. McCandless | R. Lee Stewart |

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|---|---|---|
| Wm. A. Stewart | J. H. Thompson | A. M. Wash |
| John T. E. Stites | Dr. D. J. Travis | J. S. Webb |
| Frank L. Strange | C. B. Truesdell | Gladstone Wesley |
| T. R. Stults | John L. Trumbo | W. G. Wheeler |
| John W. Swope | Fred C. VanHoose | R. E. Wilborn |
| John B. Thomas | Daniel Vose | W. N. Winn |
| J. Mack Thompson | Geo. C. Waggoner | Dr. W. S. Yazell |

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On motion of Mr. Cruse the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

An indefinite leave of absence was granted to Messrs. Foster, Goehringer and Hamilton.

Communication from Congressman J. M. Robsion to the Speaker of the House was read and referred to a special committee to investigate car shortage in Kentucky.

A communication from the Jackson Board of Trade was read and referred to Committee on Education No. 2.

Mr. Nelson offered the following resolution, to wit:

Whereas, we have a law known as the "Anti Lobbyist Law," and in order that the membership of this honorable body may know who are here lobbying for or against any of the pending measures before the Legislature; therefore,

*Be it resolved by the House of Representatives*:

That the Attorney General be directed to furnish the Clerk of the House of Representatives the names of all registered lobbyists and all information concerning said registered lobbyists that he may have in his possession.

Mr. Nelson moved the adoption of said resolution.

Said motion was agreed to.

Mr. Humphrey moved that when the House adjourns today it adjourn to meet Monday, February 9th, at one o'clock p. m.

Mr. Lazarus moved to amend said motion by changing the time to ten o'clock tomorrow.

Said amendment was adopted.

Said motion, as amended, was adopted.

Mr. Thompson moved that the calendar be read today and that the bills therein be read by their titles only.

Said motion was adopted.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 196. An act defining boundaries for school districts embracing cities of the fourth class, and providing systems of schools in such districts, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

H. B. 237. An act to regulate and protect fur bearing animals, and to prevent the killing thereof, except between the first day of November and the first day of the succeeding March.

H. B. 177. An act to amend and re-enact section 29, of chapter 27 of the Acts of the General Assembly of 1916, which is an act to regulate and control fraternal benefit societies.

H. B. 322. An act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

H. B. 172. An act to amend subsection 9 of section 331c of chapter 18 of the Kentucky Statutes, which was an act of February 24th, 1894, pertaining to children destitute or maltreated.

H. B. 217. An act relating to officers of the police court in cities of the first class, and to the bond recorder in such cities, and amending, enlarging, re-enacting and repealing certain sections of the Kentucky Statutes, Carroll's edition of 1915, as follows: Amending and re-enacting section 2911, relating to said court and its officers; repealing section 2928*a* relating to the doorkeeper of said court; repealing sections 2940 to 2944, inclusive, relating to the bailiff of said court; repealing section 2945 relating to the interpreter of said court; repealing section 2947 relating to the bond recorder in such cities, and abolishing the offices and positions of said doorkeeper, bailiff, interpreter and bond recorder, and providing for the performance by the clerk of said court of the duties now respectively performed by said officers, and amending, enlarging and re-enacting sections 2930 and 2931, defining the powers, duties and compensation of the clerk of the police court in such cities, and fixing the number of his deputies and their compensation, all of said sections being portions of the act entitled, "An act for the government of

cities of the first class," approved July 1, 1893, as amended and supplemented by the act approved March 18, 1902 (chapter 31, Acts 1904) and by the act of March 22, 1904 (chapter 96, Acts of 1904.)

H. B. 206. An act to amend subsection 7 of section 1019a of the act approved March 29, 1902, entitled, "An act to provide for stenographic reporters for courts of continuous session."

H. B. 50. An act to provide for the establishment, opening and maintenance of private passways leading from a public turnpike and highway to the land of a landowner whose property does not abut upon such public turnpike and highway.

H. B. 60. An act relating to roads and bridges; creating the Department of State Roads and Highways; providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provision of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States Government; providing for the payment of the state's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations, establishing and designating a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of way, and repealing subsections 1, 2, 4, 5, 6 and 7, of section 4356-t, Kentucky Statutes, edition 1915, also repealing sections 4356-u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25 of section 4356x, Kentucky Statutes, edi-

tion 1915, and the supplement to said edition known as vol. 3, repealing any other act or acts in conflict herewith.

H. B. 91. An act to amend and re-enact section 2218 of the Kentucky Statutes, being section 2218 of an act entitled, "Interest and Usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

H. B. 122. An act to amend section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

H. B. 116. An act entitled an act providing for the submission to the voters of the state of Kentucky for their rejection or ratification, amendments to sections 91, 93 and 95 of the Constitution of the state of Kentucky.

H. B. 59. An act that section 4405, Kentucky Statutes, Carroll's 1915 edition, to be, and is, hereby amended and reenacted to read as follows: "to furnish text books for indigent children."

H. B. 126. An act to abolish and recreating county boards of education, prescribing its duties, fixing its tenure and compensation, and providing for the election or appointment of a county superintendent, fixing his qualification and compensation and tenure of office and prescribing his duties, fixing his bond and providing for a minimum tax of thirty cents on the one hundred dollars' worth of taxable property and a capitation tax of one dollar for school purposes, and providing for the appointment of district trustees, fixing their duties and repealing subsections 3, 4, 6, 15 and 16 of section 4426A, and all laws and parts of laws in conflict with this act are hereby repealed.

H. B. 32. An act to prohibit the publication of newspapers, periodicals and magazines in any language except the English language.

H. B. 261. An act creating the Kentucky Geological Survey, designating its executive officer and his duties, and providing funds for its maintenance.

H. B. 67. An act to amend the charter of cities of the fourth class, being article 5, chapter 89, Kentucky Statutes, by providing for the election of the mayor and councilmen by the voters of the city at large, and to repeal.

H. B. 86. An act relating to cities of the fourth class, being an act to amend section 3511, Kentucky Statutes, Carroll's edition, 1915, entitled, "Qualifications of police judge."

H. B. 87. An act relating to cities of the fourth class, being an act to amend section 3512, Kentucky Statutes, Carroll's edition, 1915, entitled, "Special Judge—Provisions For Selecting."

H. B. 114. An act to prescribe the duties of mayor, chairman and chairman pro tem, and fixing the number that shall constitute a quorum of a city council of the fourth, fifth and sixth classes, and fixing the liability of members of city councils.

H. B. 287. An act to provide for the payment of premiums on bonds executed by state officers elected by the voters of the state at large.

H. B. 215. An act to amend and re-enact section 2980 of the Kentucky Statutes (Carroll's edition, 1915) relating to revenue and taxation in cities of the first class.

H. B. 81. An act to repeal section 3783, Kentucky Statutes, relating to county patrol, and to re-enact the same so as to prescribe the duties, powers, salary and organization of county patrol in counties having a population of over 150,000 inhabitants.

H. B. 190. An act to amend and re-enact section 2733A of Carroll's 1909 edition of Kentucky Statutes.

H. B. 6. An act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of moving picture machines and providing penalties for violation of this act.

H. B. 227. An act concerning the practice of the healing art in this state; relating to applications, examinations and certificates, and to fees therefor, and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments.

H. B. 176. An act to amend section 63 of the Kentucky Statutes, Carroll's edition, 1915, and acts amendatory thereto, relating to the State Board of Health, by repealing, amending and re-enacting sections 2047 and 2053 of said Statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board.

H. B. 29. An act concerning dwelling houses in cities of the first, second, third and fourth classes and relating to their construction, re-construction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control and regulation, and providing penalties for violation of this act.

H. B. 167. An act relating to penitentiaries; abolishing the offices of Assistant Deputy Wardens.

H. B. 236. An act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent Agricultural, Merchants' and Manufacturers' building upon said Kentucky State Fair Grounds.

Ordered, that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

On call of standing committees for reports the following bills were reported, viz.:

By Mr. Waggoner, of the Committee on Agriculture:

H. B. 161. An act to amend and re-enact section 21, chapter 112, and repeal section 24, chapter 112, Acts 1918, relating to dogs and live stock.

Without an expression of opinion.

Mr. Geveden moved that said bill be read the first time and placed in the calendar, the report of the Committee notwithstanding.

Said motion was adopted.

Said bill was read at length the first time and ordered to be placed in the calendar.

By same:

H. B. 316. An act to amend section 4 of chapter 112 of the Acts of 1918, which is an act relating to dogs, the promotion of live stock industries, etc.

Without an expression of opinion.

Mr. Wash moved that said bill be refused its first reading.

Said motion was agreed to.

Mr. Wash moved that the motion by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

By same:

H. B. 171. An act to amend sections 4 and 15 of chapter 112 of the Acts of 1918, relating to the licensing of dogs.

Without an expression of opinion.

Mr. Wash moved that said bill be refused its first reading.

Said motion was agreed to.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was agreed to.

By same:

H. B. 117. An act to amend subsection 2 of section 68b, Kentucky Statutes, Carroll's 1910 edition, relating to a tax upon dogs.

Without expression of opinion.

Mr. Wash moved that said bill be refused its first reading.

Said motion was adopted.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that motion lie on the table.

Said motion was agreed to.

By same:

H. B. 51. An act to amend subsection 1 of section 68a, Carroll's Kentucky Statutes, 1915 edition, relating to the listing of dogs with the assessor for the purpose of taxation, and the taxation of dogs, payment for sheep killed by dogs, allowance of claims by the fiscal court, defining who shall be deemed the owner and entitled to list a dog for taxation, and other matters relating to dogs and the payment for sheep.

Mr. Wash moved that said bill be refused ite first reading.

Said motion was agreed to.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was agreed to.

By same:

H. B. 234. An act authorizing the purchase of and maintenance of one or more blood hounds by the fiscal courts of the various counties.

With an expression of opinion that same ought not to pass.

Mr. Wash moved that the bill be refused its first reading.

Said motion was agreed to.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

By same:

H. B. 47. An act to amend and re-enact section 68b-4, Kentucky Statutes, relating to licensing of dogs and protection of live stock, being a section of the act known as an act to promote and protect live stock industries in Kentucky.

Without expression of opinion.

Mr. Wash moved that said bill be refused its first reading.

Said motion was agreed to.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

By Mr. Wash, of the Committee on Education No. 1:

H. B. 187. An act to amend section 165, Acts 1918 (section 4482, Kentucky Statutes), relating to levying of tax for graded schools.

With the expression of opinion that same ought to pass.

By same:

H. B. 296. An act to amend section 4535f-1, Kentucky Statutes, Carroll's edition, 1915, and relating to the State Inspectors and Examiners of Schools, and to substitute in lieu thereof the following.

With the expression of opinion that same ought to pass.

By same:

H. B. 297. An act repealing section 4385a and chapter 123 of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employes of the Superintendent of Public Instruction.

With the expression of opinion that same ought to pass.

By same:

H. B. 295. An act to amend and to add to the corporate power of the sisters of the "Literary Society of Saint Catharine," incorporated by the act of December 19, 1839, chapter 28, under the title of the "Literary Institution of Saint Magdalen," and which was further amended by the act of March 11, 1858, being chapter 406, changing the name of said institution to the "Literary Society of Saint Catharine of Sienna."

With the expression of opinion that same ought to pass.

By same:

H. B. 299. An act to provide physical education and training for all pupils in the common, graded, state normal and all other public schools of Kentucky, supported wholly or in part by the state and prescribing the methods of carrying the same into effect.

With the expression of opinion that same ought to pass.

By same:

H. B. 332. An act to inculcate habits of thrift and industry in public and high schools.

With the expression of opinion that same ought to pass.

Said bills, to wit, House Bills numbered 187, 296, 297, 295, 299 and 332 were severally read the first time at length and ordered to be placed in the calendar.

By same:

H. B. 243. An act to amend subsection 6 of section 4399, Kentucky Statutes (Carroll's edition, 1915), relating to the appointment and duties of supervisors for rural schools.

With the expression of opinion that same ought not to pass.

Mr. Thompson (J. M.) moved that the report of the committee be adopted as the decision of the House.

Said motion was agreed to.

The first reading of the bill was refused.

By same:

H. B. 279. An act to amend and re-enact section 4421a-3 of article Va, Carroll's edition, 1918, Kentucky Statutes, by

changing the period of adoption of text books for the common schools from five years to ten years.

With the expression of opinion that same ought not to pass.

Mr. Wash moved that the report of the committee be adopted as the decision of the House and that said bill be refused its first reading.

Said motion was adopted.

By Mr. Stults, of the Committee on Appropriations:

H. B. 35. An act relating to reward of enlisted men, in the service of the United States, military or naval, from the state of Kentucky, during the war with Germany or any part thereof, appropriating money to pay such reward and the expense incident thereto, creating State Reward Board, and designating the members thereof, providing methods of distribution of money appropriated and defining status of enlisted men entitled to reward and fixing amount to be awarded to each enlisted man, and penalty for violation of the provisions of this act.

With the expression of opinion that same ought not to pass.

Mr. Murphy moved that said bill be read the first time at length and placed in the calendar, the report of the committee notwithstanding.

On a viva voce vote the Speaker pro tem. announced that said motion was carried.

Mr. Bosworth resumed the chair.

Mr. Williamson moved to reconsider the vote by which the first reading of said bill was ordered.

Said motion was seconded and a roll call being demanded by Messrs. Murphy and Lawrence on said motion to reconsider, the yeas and nays were taken thereon and resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Adam W. Huff | Mack J. Morgan |
| L. H. Ballard | R. O. Huntsman | Chas. A. Nelson |
| Rodney G. Bryson | Henry Kaufman | T. C. Pryse |
| Roy J. Cain | Griffin Kelly | S. C. Ray |
| W. T. Carner | Frank Kennard | B. A. Roth |
| J. F. Carr | W. L. Kimbrough | Dr. Lewis Ryans |
| J. S. Cruse | Dr. S. D. Laughlin | T. R. Stults |
| H. N. Dean | Hebron Lawrence | Daniel Vose |
| J. B. Denues | Joseph Lazarus | A. M. Wash |
| H. C. Duffy | R. C. Marcum | J. S. Webb |
| Dr. T. H. Gamblin | I. S. Mason | Gladstone Wesley |
| Talbert Holliday | A. J. McCandless | R. E. Wilborn |
| A. R. Hudson | Homer C. McLellen | V. M. Williamson |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Elmer Lusby | John T. E. Stites |
| J. M. Billiter | Claude D. Minor | Frank L. Strange |
| T. L. Caudel | John T. Murphy | John W. Swope |
| Charles M. Ciarlo | Estill W. Neel | John B. Thomas |
| B. L. Cox | T. P. Oliver | J. Mack Thompson |
| P. A. Day | B. F. Reynolds | J. H. Thompson |
| J. W. Geveden | Sherman Robbins | Dr. D. J. Travis |
| Dr. W. L. Gossett | Chas. R. Scott | C. B. Truesdell |
| Robt. Humphreys | W. P. Scott | John L. Trumbo |
| J. W. Johnson | Dr. B. F. Shields | J. Wood Vance |
| J. M. Knott | S. G. Smith | Fred C. VanHoose |
| Rev. J. A. Lee | H. A. Spillman | W. N. Winn |

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Mr. Vance moved the previous question.

The Speaker stated the question: "Shall the main question be now put?"

Said question was decided in the affirmative.

Then the question was taken on the original motion to give House Bill No. 35 its first reading, the report of the committee to the contrary notwithstanding.

Upon a division of the House the vote stood as follows, viz.:

For said motion, 26; against said motion, 30.

So the motion was lost.

The bill was refused its first reading.

Mr. Lazarus moved that the report of the committee be adopted as the decision of the House.

Said motion was agreed to.

Mr. Lawrence moved that the vote by which the report of the committee was adopted as a decision of the House be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Lawrence indicated that the hour of 11:30 a. m. had arrived and that the special order for today should be taken up for consideration.

The House then took up for consideration a bill entitled, viz.:

H. B. 77. An act to abolish the office of State Fire Marshal, and to assign the duties thereof to the sheriffs of the several counties of this Commonwealth.

Mr. Lawrence offered a substitute therefor, as follows:

Substitute H. B. 77. An act to enlarge and extend the powers, duties and privileges of the Auditor of Public Accounts; to abolish the office of State Fire Marshal; to abolish the office of Superintendent of Fire Insurance Rates; to supervise the operation of fire insurance rate-making bureaus and providing for their examination, prohibiting rebating and discriminations in fixing and collecting fire insurance rates; requiring companies to maintain and cooperate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; providing for the prevention of fire waste, the investigation of fires and the origin thereof, and the consequential loss of life; fixing salaries and expenditures and prescribing duties; levying a tax upon certain insurance companies authorized to do business in the state for necessary expenses incident to the act; providing penalties for violation, and repealing existing statutes.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The Auditor of Public Accounts, hereinafter referred to as the Auditor, is hereby vested with the authority to and shall assume and discharge all the powers, duties and privileges conferred by law upon the fire marshal and the superintendent of fire insurance rates. He shall receive fourteen hundred dollars ($1,400.00) per annum, payable from the same fund and in the same manner as prescribed by this act for the payment of other salaries and expenses, this to be in addition to the compensation now received by him, for the duties imposed by this act.

§ 2. The Auditor may employ deputies and such other assistants as he may find necessary, to hold at his pleasure,

and he shall fix from time to time their duties and compensation and he may incur such other expenses as may be necessary in the performance of the duties imposed by this act.

§ 3. All salaries and other expenses shall be paid on warrant signed by the Auditor, provided that such payment shall not be in excess of the limitations contained in this act as to the amount authorized to be expended.

§ 4. The total amount which the Auditor shall be authorized to spend in any one year shall not exceed an amount equal to one-half of one per cent of the gross premiums received by all foreign stock fire insurance companies, Lloyds and any other classes of companies operated for profit, upon property or upon risks or hazards in this Commonwealth, deducting premiums returned on policies cancelled or not taken and deducting premiums paid for reinsurance on such business to companies authorized to transact business in this Commonwealth.

§ 5. Every insurance company affected by this act and doing business in this state during the preceding calendar year shall pay to the Auditor on or before the first day of March of each year, for the purpose of defraying the expenses as authorized by this act, one-half of one per cent of gross premiums so collected upon property or upon other risks or hazards in this Commonwealth during such year by all insurance companies affected by this act transacting business in this state, provided that in computing such gross receipts there shall be deducted premiums returned on policies cancelled or not taken and premiums paid for re-insurance on such business to companies authorized to transact business in this Commonwealth. All moneys so collected shall be paid into the state treasury for the purpose of paying the expenditures authorized by this act. If at the end of any year it shall be found that the aggregate amount expended in carrying out the provisions of this act during such year has been less than the amount collected for that year, the amount remaining unexpended shall be applied pro

rata in the reduction of the amount to be collected from said companies for the ensuing year.

§ 6. The Auditor, in conjunction with or through other public officers upon whom any such duties are imposed, if any, shall enforce all laws and ordinances of the Commonwealth and the several counties, cities and other political subdivisions thereof relating to:

a. The prevention of fires, and the inspection of property periodically or otherwise, or any other regulations or methods adopted for the prevention of or reduction of loss by fire, or to promote the safety of persons in case of fire.

b. The manufacture, storage, sale and use of combustibles and explosives.

c. The installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment.

d. Fire escapes and other means of exit from or access to buildings or parts of buildings or other property, in case of fire.

e. The investigation of the cause, origin and circumstances of fire and the detection and suppression of arson.

§ 7. The Auditor, in conjunction with or through other public officers upon whom such duties are imposed, if any, shall have power and it shall be his duty:

(a) To supervise and make or cause to be made periodically a thorough inspection of all property within the cities and towns having fire departments, and so far as practicable all other property within this Commonwealth.

(b) To call to his aid individuals, or committees of commercial, industrial, labor, civic or public organizations or bodies, for formulating regulations to require that all buildings, structures and other premises be constructed, made and kept safe from loss or damage or loss of life or injury to persons by fire; to make and put in force such regulations; and to enforce the same as provided by law.

(c) To investigate the cause, origin and circumstances of every fire occurring within this Commonwealth by which property has been destroyed or damaged.

(d) To summon and compel the attendance of witnesses and production of testimony and to hold hearings and make orders in any and all matters under his jurisdiction.

(e) To cooperate with any and all other Commonwealths and all county, city and other governmental agencies having jurisdiction in any such matters.

(f) To cause fire prevention to be taught in all public and private schools at least once each week, and fire drills to be held in said schools at least once each month and to require that all doors and exits in school and public buildings open outward and be kept unlocked while such buildings are occupied for school or public purposes.

§ 8. The Auditor shall have power to require and compel the attendance of witnesses and the production of papers, books, accounts, documents, records and other testimony in any investigation, examination, action or proceeding which he is authorized to make, hear or determine. The Auditor may, in any such investigation, examination, action or proceeding, cause the depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed by law for depositions in civil actions in circuit courts. The same fees shall be paid for the service of such process and for the taking of such depositions and for the service of stenographers as provided for such services in circuit courts. Payment of all such expenses incurred by the Auditor shall be by warrant in the same manner as for other expenses authorized by this act. In case any person shall refuse or fail to respond to any subpoena, testify, produce documents or comply with other lawful orders made by the Auditor the facts may be certified by the Auditor to the circuit court of the county in which such offense was committed, which shall thereupon have jurisdiction to hear, try and punish such persons as in other cases of contempt.

§ 9. The chief of the fire department in each city or town having a fire department, and the sheriff of each county, for the territory outside of the corporate limits of cities and towns in said county having fire department by virtue of their respective offices shall be deemed deputies when so directed by the Auditor for their respective counties, cities and towns. The Auditor shall from time to time prepare instructions to all his assistants for their use in the reports required by this section, and cause the same to be printed and sent to each such assistant.

§ 10. The deputy for any city, town or other territory in which any fire shall occur shall immediately investigate the cause, origin and circumstances of such fire by which property has been destroyed or damaged, and so far as possible determine whether the fire was the result of carelessness or design. If it shall appear to the officer making such investigation that such fire is of suspicious origin, he shall immediately notify the Auditor. Every fire occurring in this Commonwealth shall be reported within ten days by such deputy to the Auditor upon the forms prescribed by him.

§ 11. The Auditor shall, from time to time, make such additional investigations as he may deem necessary, and shall have the power to summon witnesses and compel them to attend and testify and may require the production of books, papers, documents and other testimony. He shall have the power to administer oaths and affirmations to any person appearing as a witness, and false swearing shall be prosecuted as such. The fees to be paid for the service of summons shall be the same as in courts of justice of the peace, and paid as provided for other expenses authorized under this act. Such examination may be public or private, as the officers conducting the investigation may determine. and the persons other than those required to be present may be excluded from the place where such examination is held, and witnesses may be kept separate and apart from

each other and not allowed to communicate with each other until they have been examined.

§ 12. If after any such investigation or examination the Auditor is of the opinion that the evidence in relation to such fire indicates that a crime has been committed, he shall present the testimony taken on examination with any other data in his possession to the county attorney of the county in which the supposed offense was committed, with the request that he institute such criminal proceedings as such testimony or data may warrant. Upon the request of the Auditor it shall thereupon be the duty of the Attorney General in person or by assistant to assist the county or Commonwealth attorney for such county in such prosecution in all courts of this Commonwealth, and in any appearance before the grand jury. The Attorney General or his assistants may, in his discretion, appear before the grand jury in the same capacity as the county or Commonwealth attorney and may assume the control and direction of any such action or proceedings.

§ 13. The Auditor shall keep in his office a record of all fires occurring in this Commonwealth and of all facts concerning the same, and shall make such compilations and statistical investigations as he may deem proper, all of which shall be kept as permanent records in his office. Such record of fires shall be made daily from the reports to him by his assistants. All such records shall be public except that any testimony taken in any investigation or examination may, in the discretion of the Auditor, be withheld from the public.

§ 14. In addition to the powers and duties of other deputies, the chief of the fire department is required, in person or by officers or members of his fire department designated by him for that purpose, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of any law or ordinance relating to the fire hazard

or to the prevention of fires. Such inspection shall be subject to the supervision and direction of the Auditor, and shall be made at least once each six months in all of the territory served by such fire department, and not less than once in three months within the fire limits or congested district subject to conflagration as the common council shall have designated or shall thereafter designate, and oftener as the chief of the fire departmnt may order. Each six months' period shall begin on the first days of January and July, and each three months' period on the first days of January, April, July and October of each year. A written report of each such inspection shall be made and kept on file in the office of the chief of the fire department in the manner and form required by the Auditor. A copy of any report showing a change in the hazard, or any violation of law or ordinance relating to the fire hazard upon any risk shall be given by the Auditor to any rating bureau making written request of him therefor. Whenever any of said officers shall find a building or other structure which, for want of repairs, lack of sufficient fire escapes, or by reason of age, dilapitated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such building, he or they shall order the same to be remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings. If such order is made by any deputy or assistant, such owner or occupant may, within five days, appeal to the Auditor, who shall, within ten days, review such order and file his decision thereon, and unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in said order. If any person fails to comply with the order of any officer under this section, or with the order as modified on appeal herein provided and within the time fixed, then such

officer is hereby empowered and authorized to cause such buildings or premises to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied as the case may be, at the expense of such person, and if such person within thirty days thereafter fail, neglect, or refuse to pay said officer the expense incurred thereby by him, such officer and those employed to do the work shall have a prior lien on the real estate on which said building was located for said expense. The Auditor or any assistant may at all reasonable hours enter any buildings, structures or premises within his jurisdiction to make any inspection, investigation or examination which is authorized to be made under this section; provided, that this shall not apply to the interior of private dwellings, except when a fire has occurred or when such officer shall have reason to believe that dangerous conditions exist in such dwelling. No person shall obstruct, hinder or delay any such officer in the performance of such duty.

§ 15. Every owner or other person having charge of or control over any building, structure or other premises in this section designated "owner" shall construct, keep and make such building, structure or other premises in this section designated "building" safe from loss or damage to property or loss of life, or injury to persons by fire, in this section designated "fire loss."

§ 16. No such owner shall require, permit or suffer the public or any employe to go or be in any such place which is not safe, and no such owner shall fail to furnish, provide and use reasonably adequate protection and safeguards against fire, or fail to adopt and use processes and methods reasonably adequate to render such places safe, and no such owner or other person shall fail or neglect to do every other thing reasonably necessary to prevent a fire loss in such building so under his charge or control.

§ 17. The Auditor is vested with the power and jurisdiction over, and shall have such supervision of, every such

building in this Commonwealth as may be necessary to enforce all laws, ordinances and all lawful orders requiring any such place to be safe, and requiring protection from such fire loss.

§ 18. The Auditor shall have power and authority:

(a) To appoint advisers and to promote and secure the appointment and service of committees of commercial, industrial, labor, civic and other organizations, who shall, without compensation, assist the Auditor in establishing standards of safety, and the Auditor may adopt and incorporate in his general orders such safety recommendations as he may receive from such advisers and committees.

(b) To establish and maintain museums and exhibits of safety and fire prevention, in which shall be exhibited equipment, safeguards and other means and methods for protection against fire loss, and to publish and distribute bulletins on any phase of this general subject.

(c) To cause lectures to be delivered, illustrated by stereopticon or other views, diagrams or pictures, for the information of such owners or other persons, and the general public, in regard to the cause and prevention of fires and related subjects.

§ 19. The Auditor shall have the power, after a hearing had upon his own motion or upon complaint, by general or special orders or otherwise:

(a) To declare and prescribe what protection, safeguards or other means or methods will be best adapted to render any such building safe as required by law, ordinances or lawful orders.

(b) To fix such reasonable standards, and prescribe, modify and enlarge such reasonable orders for the adoption, installation and maintenance of equipment, safeguards and other means or methods of protection as nearly uniform as possible, as shall be necessary to carry out all laws, ordinances and lawful orders relative to the prevention of such fire loss.

(c) To fix and order such reasonable standards for the construction and maintenance of such buildings as shall render them safe from such fire loss.

(d) To require the performance of any other act necessary for the prevention of such fire loss.

§ 20. Upon the fixing of a time and place for holding a hearing for the purpose of considering and issuing a general safety order or orders as authorized by section 19, the Auditor shall cause a notice of such hearing to be published in two or more daily newspapers of general circulation published and circulated in this Commonwealth, such newspapers to be designated by him for that purpose. No defect or inaccuracy in such notice or in the publication thereof shall invalidate any general order issued by the Auditor after hearing had.

§ 21. Whenever the Auditor, after a hearing had upon his own motion or upon complaint, shall find that any building is not safe or that the practices or means or methods of operation or process employed or used in connection therewith are unsafe, or do not afford adequate protection against such fire loss, in any such place, the Auditor shall make and serve such order and direct that such additions, repairs, improvements or changes be made and such equipment and safeguards be furnished, provided and used, as are reasonably required to render such place safe, in the manner and within the time specified in said order. The said Auditor may fix the time within which any general or special order shall take effect or shall be complied with by any person affected thereby; and may, on his own motion, or upon application of any owner or any other person affected thereby, grant such time as may reasonably be necessary for compliance with such order. Every such owner and every other person shall obey and comply with each and every requirement of every general or special order made by the Auditor under this section, and shall do everything necessary and proper to secure com-

pliance with and observance of every such general or special order.

§ 22. Nothing contained in this act shall be construed to deprive the authorities of any county, city, or any other municipality, of any power or jurisdiction over or relative to any such building; provided, that whenever the Auditor shall, by order, fix a standard of safety from fire loss, such order shall establish a minimum requirement concerning the matters conveyed by such order and shall be construed in connection with any local order relative to the same matter. A copy of every such order shall be filed by the Auditor in each county, city or other municipality, with the officer or board having jurisdiction over such matters.

§ 23. The Auditor shall enter all orders, general or special, in a permanent record. Every order, general or special, of the Auditor made and entered under this section shall be admissible as evidence in any prosecution for the violation of any of its provisions. Unless proceedings for a rehearing upon such order or a review thereof shall have been instituted and be pending and it shall not then have been fully determined, the provisions of such order shall be presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement of safety from such fire loss.

§ 24. Any owner, occupant or other person having control over or charge of any building, structure or other premises and any person required to do or perform any act herein required who shall violate any provision of such laws or any part thereof, or who shall fail or refuse to comply with any such provision or any part thereof, or who shall violate or fail or refuse to comply with any lawful order made under such laws, or who, directly or indirectly, knowingly induced another so to do, shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such

fine and imprisonment. In any prosecution under this subsection it shall be deemed prima facie evidence of a violation that the accused has failed or refused to comply with any order, rule, regulation or requirement of the Auditor of Public Accounts relative to the safety of any building, structure or premises, and the burden of proof shall thereupon rest upon the accused to show that he has complied with such order, rule, regulation or requirement. Every violation of the provisions contained in sections 17, 18 and 23 or any part or portion thereof by any person or corporation is a separate and distinct offense and, in the case of a continuing violation thereof, each day's continuance thereof shall constitute a separate and distinct offense.

§ 25. Every fire insurance company authorized to effect insurance against the risk of loss or damage by fire in this Commonwealth shall, before being permitted to write fire insurance in this Commonwealth, be a member of, or maintain a rating bureau, and no such insurer shall be a member of more than one rating bureau for the purpose of rating the same risk against the same hazard. A rating bureau may consist of one or more insurers, and when composed of two or more insurers shall admit to membership any fire insurance company authorized to do business within this Commonwealth applying therefor. The expenses of the bureau shall be shared in proportion to the gross premiums received by each member during the preceding year in this Commonwealth upon the business by such bureau (exclusive of premiums from insurance upon farm property which is not rated by schedule) deducting premiums returned on policies not taken or cancelled, and returns or dividends on mutual or participating policies, to which may be added a reasonable fee, which shall not exceed fifty ($50.00) dollars. Each member shall have one vote. Every bureau shall maintain an office within the United States, and every fire insurance company or other insurer aforesaid shall, in its annual application for license, specify each rating bureau making rates upon prop-

erty located within this state of which it is a member, and during the year file written notices of any other such rating bureau of which it shall become a member.

§ 26. Every rating bureau or other insurer engaged in making rates or estimates for rates for fire insurance on property in this Commonwealth shall inspect every risk specifically rated by it upon schedule and make a written survey of such risk which shall be filed as a permanent record in the office of such bureau or insurer. Upon the making of any survey the bureau shall promptly furnish to the owner a statement of the rate and of the removable defects found, with suggestions for improvements and the removing of such defects. A copy of such survey shall be furnished to the insured or his authorized agent upon request.

§ 27. The auditor may address inquiries to any individual, association or bureau, which is, or has been, engaged in making rates or estimates for rates for fire insurance upon property in this Commonwealth, in relation to the organization, maintenance or operation, or any other matter connected with its transactions, and may require the filing of schedules, rates, forms, rules, regulations and such other information as may be required, and it shall be the duty of every such individual, association or bureau, or some officer thereof, promptly to make such filing or reply to such inquiries in writing. Provided, surveys or complete schedules may be required to be copied and delivered to said auditor only in so far as may be necessary to determine the existence or extent of discrimination claimed by a property owner to exist as to his property.

§ 28. The Auditor shall have power to examine any such rating bureau as often as he deems expedient to do so, and shall do so not less than once every two years. A report thereof shall be filed in the office of the said Auditor. The Auditor may waive such examination when one has been made by some other department or proper supervising officer within such two years.

§ 29. No fire insurance company or other insurer against the risk of fire, nor any rating bureau, shall fix or charge any rate for fire insurance upon property in this Commonwealth which discriminates unfairly between risks in the application of like charges and credits, or which discriminates unfairly between risks of essentially the same hazards, and having substantially the same degree of protection against fire.

§ 30. Any deviation by any company or insurer from the schedule of rates established and maintained by the bureau which it maintains or of which it is a member, shall be uniform in its application to all of the risks in the class for which the variation is made, and no such deviation shall be made unless the same is uniform and unless notice thereof shall be filed with the bureau of which the insurer is a member and the Auditor at least fifteen (15) days before such variation is in effect. Except as contained in the policy and the usual contract for other insurance, no insurance company or insurer or rating bureau shall make any contract or agreement with any person insured or to be insured that the whole or any part of the insurance shall be written by, or placed with any particular company, insurer, agent or group of companies, insurers or agents.

§ 31. The said Auditor is hereby empowered upon written complaint or upon his own information that any rate discriminates unfairly beween risks in the application of like charges and credits or discriminates unfairly between risks of essentially the same hazard and having substantially the same degree of protection against fire, to order a hearing for the purpose of determining such question of discrimination. The review of such rate before said auditor shall be had only after due notice to all parties interested. If upon such hearing the Auditor shall determine that such discrimination exists, he shall have power to order such discrimination removed.

§ 32. The Auditor shall, upon written complaint or upon his own motion, have power to investigate the necessity for a reduction of rates, and upon investigation, shall have power to order such reduction if the result of the business of the stock fire insurance companies, in this Commonwealth, for five years next preceding said investigation shows that there has been an aggregate profit in excess of a reasonable amount, but in no event shall said Auditor have power to order any reduction in rates in this Commonwealth which will prevent a reasonable aggregate profit to the stock fire insurance companies licensed therein. Any reduction ordered by said auditor shall be applied to such class as may be determined by the companies or rating bureau, or bureaus, subject, however, to the approval of the said auditor. The term "Stock Fire Insurance Companies," as used in this section, shall include stock fire insurance corporations, Lloyds and all other fire insurance organizations operated for profit. In determining the question of reasonable profits, under this section, the Auditor shall give proper and reasonable consideration to the losses and liabilities both within and without this Commonwealth.

§ 33. No fire insurance company and no rating bureau or other representative of any fire insurance company or other insurer or rating bureau, shall enter into or act upon any agreement with regard to the making, fixing or collecting of any rate for fire insurance upon any property within this Commonwealth, except in compliance with this section; but any agreement may be made and enforced provided the same be not contrary to law or public policy, and be in writing, and prior to its taking effect, a copy thereof be filed with the Auditor and with each rating bureau of which any of the parties thereto shall be a member or subscriber. The Auditor may, after due notice and hearing upon complaint or upon his own motion, make an order disapproving any such agreement, which does not conform to the provisions of this section, and no such agreement shall be in force nor shall

any right be based thereon after service of a copy of such order upon each of the parties to such agreement, and upon each bureau with which such agreement is required to be filed.

Any order made by the Auditor shall be subject to court review and the auditor may institute action in any circuit court having jurisdiction to compel any company or bureau to obey an order promulgated by the Auditor.

§ 34. Any officer, director, United States manager, employee, attorney in fact, agent, adjuster, inspector or other person violating any provision of this act shall be punished by a fine of not less than ten ($10) dollars nor more than five hundred ($500) dollars or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto the court may, in its discretion, suspend or revoke any license held by such person for the transaction of the business of insurance or any business relating thereto.

§ 35. The provisions of this act shall not apply to purely mutual or to purely profit-sharing fire insurance companies incorporated or unincorporated under the laws of this state and carried on or by the members thereof solely for the protection of their property and not for profit; nor to companies, societies or associations organized under the authority and patronage of any church or religious denominations for the exclusive purpose of insuring the property of churches or religious denominations and the personal property of the pastors and ministers thereof against loss or damage by fire, lightning or storm.

§ 36. Sections 762f1-22 inclusive, 762a1a, 762a1-13 inclusive, of Carroll's Statutes, 1915, and all other acts or parts of acts in conflict with this act are hereby repealed.

Mr. Wash moved to make said bill a special order for Wednesday, February 11th, at 11 o'clock a. m.

Said motion was agreed to.

Mr. Wash moved that the substitute be printed.

Said motion was adopted.

The following bills were introduced, ordered to be printed, and referred to the committees indicated, viz.:

By Mr. Wash:

H. B. 381. An act relating to interest and usury, and defining the maximum contract rate of interest which shall be lawful, and amending section 2218 of Carroll's Kentucky Statutes.

To Committee on Banks and Banking.

By Mr. Richardson:

H. B. 382. An act requiring railroad companies operating by steam or otherwise as common carriers of passengers to furnish separate toilets and other private conveniences for male and female passengers in all coaches wherein male and female passengers are permitted or required to be transported as passengers, in all cases where the distance over which said carrier operates shall be ten miles or more.

To Committee on Railroads.

By Mr. Biliter:

H. B. 383. An act to regulate the writing and publishing of the opinions of the Court of Appeals of Kentucky.

To Committee on Court of Appeals.

By Mr. Roth:

H. B. 384. An act to amend the first paragraph of section 331a-4, Kentucky Statutes, Carroll's edition, 1918, relating to the granting of certificates for the employment of children.

To Committee on Juvenile Courts and Children's Homes.

H. B. 252, as amended and engrossed, was sent to the Senate.

Mr. Bryson moved to adjourn.

Said motion was adopted.

Then the House at 12 o'clock adjourned.

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FRIDAY, FEBRUARY 6, 1920.

The House was called to order by the Speaker at 10 a. m.

The House was opened with prayer by the Rev. R. T. Nooe, pastor of the Christian church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

| | | |
|---|---|---|
| Lon Adams | W. T. Carner | A. L. Hamilton |
| Sidney Alfrey | J. F. Carr | E. C. Hardin |
| L. H. Ballard | B. L. Cox | Talbert Holliday |
| H. H. Barnes | J. S. Cruse | D. J. Howard |
| W. T. Beckham | P. A. Day, | Adam W. Huff |
| J. M. Billiter | H. N. Dean | Robt. Humphreys |
| W. M. Boling | J. B. Denues | R. O. Huntsman |
| Jo F. Bosworth | H. C. Duffy | J. W. Johnson |
| Rodney G. Bryson | J. W. Geveden | Henry Kaufman |
| Roy J. Cain | Dr. W. L. Gossett | Griffin Kelly |

| | | |
|---|---|---|
| Frank Kennard | T. P. Oliver | John W. Swope |
| W. L. Kimbrough | T. C. Pryse | John B. Thomas |
| J. M. Knott | S. C. Ray | J. Mack Thompson |
| Dr. S. D. Laughlin | B. F. Reynolds | J. H. Thompson |
| Hebron Lawrence | Sherman Robbins | Dr. D. J. Travis |
| Joseph Lazarus | Lee Rogers | C. B. Truesdell |
| Rev. J. A. Lee | B. A. Roth | John L. Trumbo |
| Elmer Lusby | Dr. Lewis Ryans | Fred C. VanHoose |
| R. C. Marcum | Chas. R. Scott | Daniel Vose |
| I. S. Mason | W. P. Scott | Geo. C. Waggoner |
| A. J. McCandless | Dr. B. F. Shields | A. M. Wash |
| R. L. McFerron | S. G. Smith | J. S. Webb |
| Homer C. McLellen | H. A. Spillman | Dr. T. R. Welch |
| Claude D. Minor | R. Lee Stewart | Gladstone Wesley |
| Mack J. Morgan | Wm. A. Stewart | R. E. Wilborn |
| John T. Murphy | John T. E. Stites | W. N. Winn |
| Estill W. Neel | Frank L. Strange | Dr. W. S. Yazell |
| Chas. A. Nelson | T. R. Stults | —83 |

On motion of Mr. Ray the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Messrs. Caudel, Gamblin, Gochringer, Hudson, Wheeler and Wilborn were granted an indefinite leave of absence.

The report of the Attorney General as to registered lobbyists, in response to resolution passed yesterday, was laid before the House.

Mr. Hardin moved that said report be spread on the Journal.

Mr. Duffy moved to amend that motion by having said report printed and spread on the Journal.

Said amendment was agreed to.

Then said motion, as amended, was adopted.

Said report is as follows, viz.:

REGISTRATION SINCE JANUARY 5, 1920.

| Employe | Address | Employer | Subject |
|---|---|---|---|
| Phil Ossman | Louisville | Ky. State Fed Labor | S. B. 131 |
| | | | H. B. 445 |
| | | | H. B. 314 |
| | | | H. B. 315 |
| | | | H. B. 335 |
| | | | S. B. 227 |
| | | | S. B. 209 |
| | | | S. B. 310 |
| | | | S. B. 215 |
| T. C. Howe | Louisville | Board of Optometrists | Optometry bill |
| A. Selligman | Louisville | Board of Optometrists | Optometry bill |
| A. Selligman | Louisville | Nat. Bd. of Fire Underwriters | Insurance |
| C. H. Searcy | Louisville | R. M. Morton | S. B. 176 (oppose) |
| Jas. Malone | Louisville | Am. Railway Express | Exp. Co. int. |
| R. M. Cunnigham | Charleston, W.Va | Ky. Mine Owners Assn | Mining |
| R. E. Fleming | Louisville | U. S. R. R. Administration | Matters pertaining to R. R. legislation |
| John Hutchinson | Fontanet, Md | United Mine Wkrs. of A. | Old age pension and health |
| Wm. Mitchell | Des Moines, I | United Mine Wkrs. of A. | Old age pension bill |
| Evan Evans | Westville, Ill | United Mine Wkrs. of A. | Old age pension bill |
| W. S. Lockhart | Louisville | Churchmen's Federation | Pari-Mutuel bill |
| | | | Ky. Industrial Home for Women |
| | | | State censorship bill |
| R. C. Owens | McHenry, Ky | United Mine Wkrs. of A. | Mining laws |
| H. L. Render | McHenry, Ky | United Mine Wkrs. of A. | Mining laws |
| J. A. Ohlson | Louisville | J. A. Ohlson | Chiropractic bill |

| Employe | Address | Employer | Subject |
|---|---|---|---|
| J. F. Finch | Louisville | J. T. Finch | Chiropractic bill |
| Thos. T. Tuley | Louisville | Ky. Manufacturers' Assn. | Mfg. Interests |
| John C. Dice | Richmond, Va. | C. & O. R. R. Co. | Matters pertaining R. R. legislation |
| G. P. Lambeck | Maysville | G. P. Lambeck | Chiropractor |
| J. B. Riley | Louisville | Ky. Assn. Pub. Utilitiy | |
| C. H. Morris | Frankfort | Louisville Auto Club | Progressive automobile legislation |
| S. O. Lacer | Louisville | Sherley O. Lacer | Chiropractic bill |
| T. F. Thompson | Fulton | T. F. Thomason | Chiropractic bill |
| H. B. Black | Paducah | H. B. Black | Chiropractic bill |
| J. W. Blackburn | Central City | United Mine Wkrs. of A. | Mining law |
| John L. Smith | Ashland | Ohio Valley Elec. R. Co. | Pub. Utilities |
| L. B. Herrington | Louisville | Ky. Utilities Co. | Pub. Utilities |
| Peter Campbell | Louisville | Ky. State Fed. of Labor | Labor |
| J. S. Laurent | Louisville | Ky. Utilities Co. | Pub. Utilities |
| S. P. Mohney | Paris | Dr. S. P. Mohney | Chiropractic |
| W. B Baynes | Covington | W. B. Baynes | Chiropractic |
| L T. Marshall | Lexington | L. T. Marshall | Chiropractic |
| J. H. Davis | Ludlow | J. H. Davis | Chiropractic |
| G. W. Hardie | Owensboro | G. W. Hardie | Chiropractic bill B. 78—183 |
| J. P. Pope | Lexington | Ky. Trac. & Term. Co. | Pub. Utility bill |
| T. J. Smith | Graysville, Tenn. | United Mine Wkrs. of A. | All matter affecting labor especially miner |
| H. H. Huffaker | Louisville | Jefferson Co. Med. Soc. | Public Health Measures |
| J. J. S. Cooke | Louisville | Retailers Assn. of Ky. | Everything benefiting retailers |
| E. P. Sadler | Bowling Green | Retailers Assn. of Ky. | Everything benefiting retailers |

| Employe | Address | Employer | Subject |
|---|---|---|---|
| C. C. Owsley | Louisville | Ky. Mfg. Assn. | Welfare of Ky. |
| R. A. Cochran | Maysville | January & Wood Co. | Cotton manufacture |
| J. E. Rankin | Henderson | Henderson Cotton Mills | Cotton manufacture |
| Robt. E. Woods | Ashland | Ky. Mine Owners Assn. | All matters in interest of mine owners |

Mr. Swope moved that the House recess at 12:30 p. m. today for three-fourths of an hour.

Mr. Waggoner moved to substitute the following, to wit:

That when the House adjourns today it adjourn to meet on next Monday, February 9th, at one o'clock p. m.

Said motion was adopted.

The following bills were delivered to committees, viz.: House Bills Nos. 327, 328, 320, 321, 315, 284, 323, 112 and 33.

Upon a call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed and referred to the committees indicated, viz.:

By Mr. Day:

H. B. 385. An act for the protection of game birds and game animals; fixing open and closed seasons for the same: fixing the bag limit for birds and animals killed in open season, and providing penalty for the violation of this act.

To Committee on Fish and Game.

By Mr. Humphreys:

H. B. 386. An act to prohibit interference with the lawful business of any person or corporation.

To Committee on Immigration and Labor.

By Mr. Welch:

H. B. 387. An act to standardize, validate, define and enforce contracts and leases for lands leased for oil and gas purposes and to provide for how and when off-set wells shall be drilled.

To Committee on Kentucky Statutes

By Mr. Huff:

H. B. 388. An act entitled an act to amend section 1259, chapter 36, Carroll's edition of Kentucky Statutes of 1909 by striking from the second line thereof the word "enclosed," relating to misdemeanor and offense against property.

To Committee on Criminal Law.

By Mr. Lazarus:

H. B. 389. An act to amend section 1 of an act entitled, "An act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies and all boats and other water craft propelled by the use of oil, gasoline or other means;" being section 1 of an act of the General Assembly of January 15th, 1916.

To Committee on Railroads.

By Mr. Lazarus:

H. B. 390. An act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

To Committee on Railroads.

By Mr. Shannon:

H. B. 391. An act to amend and re-enact sections 929 and 934 of Carroll's Kentucky Statutes, edition of 1915.

To Committee on County and City Courts.

By Mr. Stites:

H. B. 392. An act to amend an act entitled, "An act to amend an act entitled, 'An act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said act and amendments now appear as article 3 of chapter 89 of the Kentucky Statutes, in John D. Carroll's edition thereof in 1909," which was approved on March 21, 1910, by adding a section thereto.

To Committee on Municipalities.

By Mr. Swope:

H. B. 393. An act to prohibit persons or person or corporation or company to conduct or cause to be conducted pool rooms in this state except incorporated towns.

To Committee on Retrenchment and Reform.

By Mr. Alfrey:

H. B. 394. An act to amend and re-enact section 227, Carroll's Criminal Code of Practice, edition of 1919, relating to the order of argument.

To Committee on Codes of Practice.

By Mr. Stewart:

H. B. 395. An act creating a Department of Adult Education; providing for a commissioner of same; creating a system of evening schools; providing for the employment of teachers therein, and appropriating money for carrying out the provisions of this act.

To Committee on Appropriations.

By Mr. Vance:

H. B. 396. An act imposing a tax on distilled spirits known as whiskey or brandy or other species of spirits in this state now held in bonded warehouses or other places of safekeeping by any person or firm, corporation or association in whose custody the above named spirits are possessed.

To Committee on Public Roads and Highways.

Mr. McLellen moved that the House do now proceed to the consideration of the orders of the day.

Said motion was adopted.

Mr. R. Lee Stewart moved that all bills now in the orders of the day be read the third time by their title only.

Said motion was adopted.

Mr. Wash moved that today's session be extended indefinitely.

Said motion was adopted.

A message was received from the Senate announcing that that body had passed the following bills, viz.:

S. B. 66. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, or within enclosures during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose and prescribing a penalty therefor.

Said bill was ordered to be printed and referred to the Committee on Kentucky Statutes.

S. B. 3. An act providing for the separate confinement of the criminal insane, defining such term and providing for the transfer of same to an institution set apart therefor, of those who may be adjudged to be criminally insane.

Said bill was ordered to be printed and referred to the Committee on Charitable Institutions.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 33. An act entitled an act amending section 75 of the Criminal Code of Practice, Carroll's 1919 edition.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. After conviction the defendant may be admitted to bail pending final termination of appeal.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Murphy offered the following amendment, viz.:

Amend House Bill No. 33 by inserting in line 1 of section 1, after the word "bail" and before the word "pending," the following words: "in all bailable cases as now provided by law."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title as amended and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Adam W. Huff | John T. Murphy |
| Sidney Alfrey | Robt. Humphreys | Estill W. Neel |
| L. H. Ballard | R. O. Huntsman | Chas. A. Nelson |
| H. H. Barnes | J. W. Johnson | T. P. Oliver |
| W. M. Boling | Henry Kaufman | T. C. Pryse |
| Rodney G. Bryson | Frank Kennard | S. C. Ray |
| Roy J. Cain | W. L. Kimbrough | B. F. Reynolds |
| W. T. Carner | J. M. Knott | Sherman Robbins |
| J. F. Carr | Dr. S. D. Laughlin | Lee Rogers |
| B. L. Cox | Joseph Lazarus | B. A. Roth |
| J. S. Cruse | Elmer Lusby | Dr. Lewis Ryans |
| P. A. Day, | R. C. Marcum | Chas. R. Scott |
| H. N. Dean | I. S. Mason | W. P. Scott |
| J. B. Denues | A. J. McCandless | H. A. Spillman |
| J. W. Geveden | Homer C. McLellen | R. Lee Stewart |
| E. C. Hardin | Claude D. Minor | Wm. A. Stewart |
| Talbert Holliday | Mack J. Morgan | John T. E. Stites |

| | | |
|---|---|---|
| Frank L. Strange | Dr. D. J. Travis | J. S. Webb |
| T. R. Stults | John L. Trumbo | Gladstone Wesley |
| John B. Thomas | J. Wood Vance | R. E. Wilborn |
| J. Mack Thompson | Daniel Vose | W. N. Winn |
| J. H. Thompson | A. M. Wash | Dr. W. S. Yazell |

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Those who voted in the negative were—

| | | |
|---|---|---|
| W. T. Beckham | Griffin Kelly | John W. Swope |
| Dr. W. L. Gossett | R. L. McFerron | Fred C. VanHoose |
| A. L. Hamilton | Dr. B. F. Shields | Geo. C. Waggoner |
| D. J. Howard | S. G. Smith | |

—11

Resolved, that the title thereof be as aforesaid.

Mr. Murphy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 154. An act to amend section 4649 of chapter 122, Kentucky Statutes.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 4649 of chapter 122 of Kentucky Statutes, relating to the law against stock running at large, be amended as follows, by adding thereto and at the end thereof the following:

"In an indictment for a violation of the section, it shall not be necessary to allege that a petition was filed, or a vote

taken, or an election held, or that the fiscal court had decided by a majority of the members composing same, whether said election shall be confined to voting or magisterial districts, or shall be to take the sense of the voters of the entire county, nor shall it be necessary to allege any other step relative thereto, but it may be simply stated that the act or acts charged were committed in a territory where the said act was in force, and in said indictment it shall be sufficient to designate said act as the law against stock running at large."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | H. N. Dean | J. M. Knott |
| Sidney Alfrey | J. B. Denues | Dr. S. D. Laughlin |
| L. H. Ballard | H. C. Duffy | Joseph Lazarus |
| H. H. Barnes | J. W. Geveden | Elmer Lusby |
| W. T. Beckham | Dr. W. L. Gossett | I. S. Mason |
| J. M. Billiter | E. C. Hardin | R. L. McFerron |
| W. M. Boling | Talbert Holliday | Claude D. Minor |
| Rodney G. Bryson | D. J. Howard | Estill W. Neel |
| Roy J. Cain | Adam W. Huff | T. C. Pryse |
| W. T. Carner | Robt. Humphreys | S. C. Ray |
| J. F. Carr | J. W. Johnson | B. F. Reynolds |
| Charles M. Ciarlo | Henry Kaufman | Sherman Robbins |
| B. L. Cox | Griffin Kelly | Lee Rogers |
| J. S. Cruse | Frank Kennard | B. A. Roth |
| P. A. Day, | W. L. Kimbrough | Dr. Lewis Ryans |

| | | |
|---|---|---|
| Chas. R. Scott | T. R. Stults | Daniel Vose |
| W. P. Scott | John W. Swope | Geo. C. Waggoner |
| Dr. B. F. Shields | John B. Thomas | A. M. Wash |
| S. G. Smith | J. H. Thompson | J. S. Webb |
| H. A. Spillman | Dr. D. J. Travis | R. E. Wilborn |
| R. Lee Stewart | C. B. Truesdell | W. N. Winn |
| John T. E. Stites | John L. Trumbo | Dr. W. S. Yazell |
| Frank L. Strange | J. Wood Vance | —67 |

Resolved, that the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 1. An act to amend and re-enact section 1780, Kentucky Statutes, Carroll's edition, 1915, relating to farm fences.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 1780 of Kentucky Statutes, Carroll's edition, 1915, be amended by striking out the words "and one-half," after the word four, in lines 3 and 4, so that when said section is so amended it shall read as follows, viz.:

Section 1780. Every strong and sound fence of rails, or plank, or wire, or wire and plank or iron, or of hedge, four feet high, and being so close that cattle cannot creep through or made of stone or brick, four feet high, or a ditch three feet deep and three feet broad with a hedge two feet high, or a rail, plank, stone, smooth or barbed wire, or brick fence two

and one-half feet high on the margin thereof, the hedge or fence being so close that cattle cannot creep through, shall be deemed a lawful fence.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | R. O. Huntsman | W. P. Scott |
| Sidney Alfrey | J. W. Johnson | S. G. Smith |
| L. H. Ballard | Henry Kaufman | Wm. A. Stewart |
| H. H. Barnes | W. L. Kimbrough | John T. E. Stites |
| J. M. Billiter | J. M. Knott | Frank L. Strange |
| Roy J. Cain | Dr. S. D. Laughlin | T. R. Stults |
| W. T. Carner | Joseph Lazarus | John W. Swope |
| Charles M. Ciarlo | Elmer Lusby | John B. Thomas |
| B. L. Cox | I. S. Mason | J. Mack Thompson |
| P. A. Day, | R. L. McFerron | Dr. D. J. Travis |
| H. N. Dean | Claude D. Minor | C. B. Truesdell |
| J. B. Denues | Mack J. Morgan | John L. Trumbo |
| H. C. Duffy | Estill W. Neel | Daniel Vose |
| J. W. Geveden | Chas. A. Nelson | A. M. Wash |
| Dr. W. L. Gossett | T. C. Pryse | J. S. Webb |
| E. C. Hardin | S. C. Ray | Gladstone Wesley |
| Talbert Holliday | Sherman Robbins | W. N. Winn |
| Robt. Humphreys | Chas. R. Scott | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| W. T. Beckham | D. J. Howard | B. F. Reynolds |
| W. M. Boling | Griffin Kelly | Dr. B. F. Shields |
| J. F. Carr | Frank Kennard | H. A. Spillman |
| J. S. Cruse | A. J. McCandless | —11 |

Resolved, that the title thereof be as aforesaid.

Mr. Nelson moved that the vote by which said bill was passd be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 123. An act to amend section 2740 and section 2741 or article 1, chapter 89, Kentucky Statutes, volume 3, supplement Carroll's revised edition, 1916, relating to the classification of cities and towns.

Said bill reads as follows, to wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 2740 of the Kentucky Statutes (volume 3, Carroll's edition, 1918) entitled, "Classification of cities and towns," be amended by striking from "the cities of the fifth class" the words "Scottsville, Allen county," and by inserting the said word in the "cities of the fourth class," after the words "Hickman, Fulton county," so that when amended and re-enacted the said act shall read as follows:

*Classification of Cities and Towns.*

The cities and towns of the Commonwealth are classified as follows, to wit:

First class—Louisville, Jefferson county.

Second class—Lexington, Fayette county: Covington, Kenton county; Newport, Campbell county; Paducah, McCracken county.

Third class—Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling

Green, Warren county; Middlesboro, Bell county; Hopkinsville, Christian county; Ashland, Boyd county.

Fourth class—Shelbyville, Shelby county; Maysville, Mason county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Catlettsburg, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery county; Georgetown, Scott county; Versailles, Woodford county; Harrodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Lebanon, Marion county; Ludlow, Kenton county; Nicholasville, Jessamine county; Pineville, Bell county; Madisonville, Hopkins county; Princeton, Caldwell county; Fulton, Fulton county; Lawrenceburg, Anderson county; Russellville, Logan county; Carrollton, Carroll county; Central City, Muhlenberg county; Corbin, Whitley and Knox counties; Franklin, Simpson county; Barbourville, Knox county; Providence, Webster county; Morganfield, Union county; Pikeville, Pike county; Somerset, Pulaski county; Murray, Calloway county; Harlan, Harlan county; Elizabethtown, Hardin county; Jackson, Breathitt county; Hazard, Perry county; Highland Park, Jefferson county; Hickman, Fulton county; Scottsville, Allen county.

Fifth class—Lancaster, Garrard county; Cadiz, Trigg county; Grand Rivers, Livingston county; Greenville, Muhlenberg county; Louisa, Lawrence county; Columbus, Hickman county; Glasgow, Barren county; West Covington, Kenton county; Earlington, Hopkins county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Vanceburg, Lewis county; Elkton, Todd county; Falmouth, Pendleton county; Carlisle, Nicholas county; Uniontown, Union county; Campbellsville, Taylor county; Hawesville, Hancock county; Eminence, Henry county; Eddyville, Lyon county; Leitchfield,

Grayson county; Owensville, Bath county; Marion, Crittenden county; Sebree City, Webster county; Clay, Webster county; Wickliffe, Ballard county; Morehead, Rowan county; Bardwell, Carlisle county; Sturgis, Union county; Dawson Springs, Hopkins county; Millersburg, Bourbon county; Calhoun, McLean county; Springfield, Washington county; Corydon, Henderson county; Hartford, Ohio county; Morton's Gap, Hopkins county; Livermore, McLean county; Oakdale, Jefferson county; Beattyville, Lee county; Owenton, Owen county; Olive Hill, Carter county; Burnside, Pulaski county; Prestonburg, Floyd county; Warsaw, Gallatin county; Monticello, Wayne county; Berea, Madison county; Lagrange, Oldham county; Guthrie, Todd county, Clifton, Campbell county; Russell, Greenup county; Houstonville, Lincoln county; Drakesboro, Muhlenberg county; Tompkinsville, Monroe county; Irvine, Estill county, and Hellier, Pike county.

Section 2741. Sixth class—All other incorporated cities and towns not named in this bill shall belong to the sixth class.

Provided that all officers now holding office in any of the cities changed from a class other than they were at the time such officers were elected will hold their offices until the term for which they are elected has expired, and until their successors have been elected and qualified.

Whereas, it is necessary for the assigned cities mentioned herein to make their tax levy for this year under the charter of the town to which they are assigned an emergency is declared to exist and this act shall take effect and be in full force and effect from and after its passage and approval by the Governor.

The Committee on Classification of Cities and Towns offerred the following amendment by way of substitute:

Amendment to H. B. 123. An act to amend section 2740 and section 2741 of article 1, chapter 89, Kentucky Statutes,

volume 3, supplement Carroll's edition, 1918, relating to the classification of cities and towns, be, and the same is, hereby amended as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 2740 of the Kentucky Statutes (volume 3, Carroll's edition, 1918) entitled, "Classification of Cities and Towns," be amended by striking therefrom "The cities of the fifth class" the words "Scottsville, Allen county; Earlington, Hopkins county; Olive Hill, Carter county," and by inserting the said words in the "Cities of the fourth class," after the words "Hickman, Fulton county," and adding thereto the additional words, "Ft. Thomas, Campbell county," so that when amended and re-enacted the said act shall read as follows:

*Classification of Cities and Towns.*

The cities and towns of the Commonwealth are classified as follows, to wit:

First class—Louisville, Jefferson county.

Second class—Lexington, Fayette county; Covington, Kenton county; Newport, Campbell county; Paducah, McCracken county.

Third class—Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling Green, Warren county; Middlesboro, Bell county; Hopkinsville, Christian county; Ashland, Boyd county.

Fourth class—Shelbyville, Shelby county; Maysville, Mason county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Cattlettsburg, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery county; Georgetown, Scott county; Versailles, Woodford county; Harrodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Lebanon, Marion county; Ludlow,

Kenton county; Nicholasville, Jessamine county; Pineville, Bell county; Madisonville, Hopkins county; Princeton, Caldwell county; Fulton, Fulton county; Lawrenceburg, Anderson county; Russellville, Logan county; Carrollton, Carroll county; Central City, Muhlenberg county; Corbin, Whitley and Knox counties; Franklin, Simpson county; Barbourville, Knox county; Providence, Webster county; Morganfield, Union county; Pikeville, Pike county; Somerset, Pulaski county; Murray, Calloway county; Harlan, Harlan county; Elizabethtown, Hardin county; Jackson, Breathitt county; Hazard, Perry county; Highland Park, Jefferson county; Hickman, Fulton county; Scottsville, Allen county; Earlington, Hopkins county; Olive Hill, Carter county; Ft. Thomas, Campbell county.

Fifth class—Lancaster, Garrard county; Cadiz, Trigg county; Grand Rivers, Livingston county; Greenville, Muhlenberg county; Louisa, Lawrence county; Columbus, Hickman county; Glasgow, Barren county; West Covington, Kenton county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Vanceburg, Lewis county; Elkton, Todd county; Falmouth, Pendleton county; Carlisle, Nicholas county; Uniontown, Union county; Campbellsville, Taylor county; Hawesville, Hancock county; Eminence, Henry county; Eddyville, Lyon county; Leitchfield, Grayson county; Owensville, Bath county; Marion, Crittenden county; Sebree City, Webster county; Clay, Webster county; Wickliffe, Ballard county; Morehead, Rowan county; Bardwell, Carlisle county; Sturgis, Union county; Dawson Springs, Hopkins county; Millersburg, Bourbon county; Calhoun, McLean county; Springfield, Washington county; Corydon, Henderson county; Hartford, Ohio county; Morton's Gap, Hopkins county; Livermore, McLean county; Oakdale, Jefferson county; Beattyville, Lee county; Owenton, Owen county; Burnside, Pulaski county; Preston-

burg, Floyd county; Warsaw, Gallatin county; Monticello, Wayne county; Berea, Madison county; Lagrange, Oldham county; Guthrie, Todd county; Clifton, Campbell county; Russell, Greenup county; Houstonville, Lincoln county; Drakesboro, Muhlenberg county; Tompkinsville, Monroe county; Irvine, Estill county, and Helier, Pike county.

Section 2741. Sixth class—All other incorporated cities and towns not named in this bill shall belong to the sixth class.

Provided that all officers now holding office in any of the cities changed from a class other than they were at the time such officers were elected will hold their offices until the term for which they were elected has expired, and until their successors have been elected and qualified.

Whereas, it is necessary for the assigned cities mentioned herein to make their tax levy for this year under the charter of the town to which they are assigned an emergency is hereby declared to exist and this act shall take effect and be in full force and effect from and after its passage and approval by the Governor.

Mr. Minor offered the following amendment to the substitute:

Amend substitute to House Bill No. 123 by adding the words "Perryville, Boyle county," after the words "Pike county," in line 63 of substitute.

Said amendment was adopted.

Mr. Minor offered the following amendment to the substitute:

Amend substitute to H. B. 123 by adding the words "Maysville, Mason county; Corbin; Whitley and Knox counties," after the words "Boyd county," in line 19, and strike out the words "Maysville, Mason county," in lines 20 and

21 and strike out the words "Corbin, Whitley and Knox counties," in line 31, and add the words "Irvine, Estill county," after the words "Campbell county," in line 38, and strike out the words "Irvine, Estill county," in line 62 of the substitute.

Said amendment was adopted.

Then the substitute as amended was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended by the substitute as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Dr. W. L. Gossett | Claude D. Minor |
| Sidney Alfrey | A. L. Hamilton | Mack J. Morgan |
| L. H. Ballard | Robt. Humphreys | Estill W. Neel |
| W. T. Beckham | R. O. Huntsman | Chas. A. Nelson |
| J. M. Billiter | J. W. Johnson | T. C. Pryse |
| W. M. Boling | Henry Kaufman | S. C. Ray |
| Roy J. Cain | W. L. Kimbrough | B. F. Reynolds |
| W. T. Carner | J. M. Knott | Sherman Robbins |
| J. F. Carr | Dr. S. D. Laughlin | Lee Rogers |
| Charles M. Ciarlo | Hebron Lawrence | B. A. Roth |
| B. L. Cox | Joseph Lazarus | Dr. Lewis Ryans |
| P. A. Day, | Elmer Lusby | Chas. R. Scott |
| H. N. Dean | I. S. Mason | W. P. Scott |
| J. B. Denues | A. J. McCandless | Dr. B. F. Shields |
| J. W. Geveden | R. L. McFerron | S. G. Smith |

| | | | |
|---|---|---|---|
| H. A. Spillman | T. R. Stults | Dr. D. J. Travis | |
| R. Lee Stewart | John W. Swope | C. B. Truesdell | |
| John T. E. Stites | John B. Thomas | | |
| Frank L. Strange | J. Mack Thompson | | —65 |

Resolved, that the title thereof be as aforesaid.

Mr. Ciarlo moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 90. An act to repeal and re-enact subdivision IX of article IV of chapter 89 of Kentucky Statutes, Carroll's edition, 1915, and the amendment thereto as provided in chapter 78 at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918, and relating to the government of cities of the third class, and providing for a system of public schools and the election, qualification, term of office and meetings of the board of education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of the eminent domain, the manner of selecting teachers, officers and employes and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the boards of education, limiting the amount of tax

that may be levied for school purposes, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the board of education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there shall be maintained in cities of the third class a system of public schools at which all the children residing in such city between the ages of six and twenty may be taught at public expense. Said schools shall be under control of a board to be styled "The Board of Education," consisting of twice as many members as there are wards in said city, to be elected from the city at large by the qualified voters of the city at large, one-half of whom shall be elected

at the November election in 1921, one-half at the November election in 1923, and thereafter one-half at the general election every two years. Said trustees shall possess the same qualifications as are required for councilmen or commissioners of said city.

All elections for members of the board of education shall be by secret ballot. Said ballot shall be on a separate sheet from all other ballots to be used in any election. It shall be the duty of the county clerk of any county in which a city of the third class is located to cause to be printed on said ballot the names of all candidates for membership of the board of education of said city in whose behalf he may be petitioned so to do in writing by not less than twenty-five legal voters of said city. The petition must be filed in the office of the county clerk not more than sixty and not less than fifteen days before the day of election and each petition must be signed by the requisite number of qualified persons and shall show the place of residence of each person signing it, and no person shall sign more petitions than the number of offices to be filled. If the nomination is to fill a vacancy, the petition shall so state. When the person shall be nominated for a full term and to fill a vacancy, he shall be accepted as a candidate for the full term.

Said ballots shall be in the form prescribed for ballots by the general election law of the state, except that no party emblem or other emblem or distinguishing mark shall be placed upon said ballot, save the words "School Ticket," and the number of candidates to be voted for, at the head thereof; and that the names of all candidates for membership in the board of education shall be printed in a single column. The names shall be printed upon the first fifty ballots as arranged in alphabetical order. On each of the succeeding fifty ballots the names shall be printed in the same order, save that the last names on the preceding fifty ballots shall be shifted to first place; and so thereafter throughout, a like change being made in the printed order of names for every

fifty ballots, and these ballots shall be so bound that in the book of ballots for each voting precinct, each candidate's name shall appear first on approximately the same number of ballots as that of every other candidate. As many additional lines shall be left blank as there are members to be elected. The provisions of the general election laws of the state of Kentucky as to the duties of county clerks and other public officers in the matter of printing and distributing ballots, of issuing them to voters, of receiving and depositing them in the ballot boxes, and of counting and preserving them, and in other particulars except as otherwise provided herein, shall be applicable in all respects to the election of members of the board of education; Provided, that it shall be the duty of the sheriff of each county in which a city of the third class is situated, to provide for each precinct in the said city a separate box for the reception of the ballots used in the election of the members of the board of education. And provided, further, that it shall be the duty of the judge of the election, of the opposite political faith to the clerk of election in each precinct, to issue the ballots in the same manner as other ballots are issued by the clerk of election, by writing the name and address of the voter upon the primary stub and his registered number upon the secondary stub of the school ballot, and observing as to these ballots such other regulations for the issue and deposit of ballots, as may be prescribed for elections generally. It shall be unlawful for an election officer or other person within the election booth to tell or indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor punishable by a fine not exceeding two hundred dollars. And, provided further, that upon the filing with the county judge of the county wherein a city of the third class is situated, of a petition signed by a number of legal voters equal to twenty per cent or more of the total number of votes cast in said city at the last preceding election, in which presidential electors were

voted for, requesting that the election of members of the board of education in said city shall be held on a day other than the day for holding the general election therein, said county judge shall make an order designating some day for the election of members of the board of education in said city, which day shall not be less than ninety nor more than one hundred and twenty days after the day whereon said order shall have been entered. Whenever such order shall have been entered by said court, the day so designated by him shall thereafter continue, unless changed by order of court as herein provided, to be the day for holding elections for members of the board of education and all provisions of this act and of the law regulating elections in the Commonwealth, when not otherwise inconsistent, shall apply to and govern such elections, except that it shall be the duty of the clerk of said elections to issue said ballots in separate elections in the same manner as other ballots are issued by him in general elections. Said petition to be filed with the county court as aforesaid, shall be filed not later than the first day of September of the regular year or years for holding said election and shall show the place of residence of each person signing it, and the order of the county judge with reference thereto shall be entered within fifteen days after the filing of the same. The expense of holding said separate election, if ordered, shall be paid by the city wherein same shall be held, out of its general fund.

Each voter may vote for as many of said candidates as there are members to be elected, by making a cross in the square opposite the name of each candidate for whom he wishes to vote. The candidates in number equal to the number of members to be elected, who have the highest number of votes shall be declared elected. If at any election a member is to be chosen to fill a vacancy and to fill out an unexpired term, candidates may be chosen as above provided, but they shall be designated on the ballot as candidates to fill a vacancy, and the date of the unexpired term shall be stated.

Said board of education shall continue, and it is hereby declared a body politic and corporate, under the name and style of board of education, with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal, the same to renew or alter at pleasure; may purchase, receive, hold, lease, sell and dispose of real and personal estate for public schools of the city, and the property and funds thereunto belonging shall be, and is, hereby vested in said board, subject to the provisions of this law. It shall have power to make by-laws and rules, not in conflict herewith, necessary for the discharge of its duties and the government of its proceedings. It shall meet once in each month, or oftener if necessary, and a majority elect of said board shall constitute a quorum for the transaction of business and the yeas and nays shall be entered on record. The meeting of said board shall be held in some public place, and a correct record of its proceedings shall be kept in a book provided for that purpose, which shall be a public record.

§ 2. That said board of education shall determine the qualifications of its members. It shall have the power to fill until the next general election all vacancies in said board occasioned by death, removal or other cause.

§ 3. That all property now used for public school purposes in the city, or which may at any time be owned by the board of education, and all the funds or means that are now or may hereafter come under the control of the same, are hereby forever dedicated to the use of public schools of the city, and the title to all property, real and personal, in the city known and used as public school property, is hereby vested in said corporation.

§ 4. That said board of education shall have power to elect or appoint such officers as may be necessary for its own government, and to require covenant with surety from any or all officers for the faithful discharge of their duties; to make by-laws not in conflict with this charter, the Constitu-

tion or laws of this state, for the carrying out of the duties of their office, and for the government of its own officers, schools, teachers, and pupils and employes; to determine its own rules of procedure, and to appoint superintendents, teachers, principals, attendance officers, medical examiners, health nurses and other officers, and employes, and regulate and fix their terms, duties and compensation, and suspend or remove them or any of them for cause. Said board may purchase, build or rent any ground, building or buildings, necessary or convenient for the public school purposes, and may make contract to that end; and any property so leased, purchased or otherwise occupied, may be reserved by terms, deed or lease to the public schools of the city, and if so reserved, shall not be liable for any debt or debts of the city not incurred for public school purposes. Said board may also receive and hold for public school purposes any gift or devise.

§ 5. That the said board of education shall have the power, two-thirds of the trustees in office concurring therein, to be evidenced upon the call of the yeas and nays, and recorded upon the journal of its proceedings, to sell and convey for a fair cash value any or all of said school property for the purpose of reinvesting all the net proceeds of the same in the purchase of other lots, and building thereon other school buildings. And said board shall have no power to divert or apply said fund, or any part of it, to any other purpose whatsoever than for the purchase of grounds and the building thereon school buildings for public school purposes, and if it do so, the same shall be malfeasance in office.

§ 6. That said board shall have power, when unable to contract with owners of any real estate necessary to the proper accomplishment of the purpose for which said board is created, to institute condemnation proceedings in accordance with the law governing railroad corporations, operated or incorporated under the existing laws of this Commonwealth, or under laws which may hereafter be enacted; and

to have in such proceedings the same rights, powers, privileges and restrictions as are now granted to or conferred upon railroad corporations.

§ 7. That said board of education shall have the power to select text boks for use in said schools, and prescribe the course of study, and it shall also have power to hold examinations, determine the qualifications of its superintendents, principals, teachers and issue certificate to same. It may establish high schools and fix the grade of public schools, and prescribe the rules by which pupils may pass from one grade to another, and from the graded schools to the high school. It may also establish and maintain in connection with public schools, kindergartens, manual training schools, vocational or industrial schools, evening schools, continuation schools, normal schools and such other schools or classes as in its judgment will serve the best interests of the people educationally.

§ 8. That said board shall at the end of each scholastic year prepare and cause to be published a printed statement showing the number of pupils in each school, with the general condition and educational progress made therein, the amount, character and condition of all funds and other property belonging to said schools, together with such information as may be proper or necessary for the benefit of said schools and the general public.

§ 9. That said board shall, within thirty days prior to the time prescribed for the levy of taxes to be made in the charter of cities of the third class, approximately ascertain the amount of money necessary to be used to defray the expenses of maintaining the schools, improving or constructing buildings, etc., thereof, and any liquidation of the liabilities during the current fiscal year; and report the same, together with the estimated amount to be received from the common school fund of the state, interest on bonds, endowments, etc., to the city auditor or clerk, who shall thereupon report the same to the general council or commissioners, and said general council or commissioners shall make the neces-

sary levy and collect the tax to provide suitable buildings, and to defray the general expenses necessary for school purposes; provided, that the levy for any one year shall not exceed one dollar on each one hundred dollars of value of taxable property in the city as returned by the board of equalization, except as hereinafter provided. Said tax, together with any penalties or accrued interest which may have been collected on same, shall be paid to the board or authorized agent of same as collected.

The provisions of this section shall be applicable to and for the benefit of the schools in all cities of the third class, whether such school systems be established and maintained under any special act or amendment thereto heretofore passed, or under the general laws of the state.

§ 10. Whenever the board of education shall deem it necessary for the proper accommodation of the schools of such city to purchase a site or sites, to erect, remodel, repair or equip school buildings, or for any or all of these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes and a bond issue is necessary, said board is hereby authorized and empowered to order an election and submit to the voters of their city the question whether or not the board of education thereof shall issue bonds to any amount it deems sufficient, subject to the limitations provided by section (157) one hundred fifty-seven and (158) one hundred fifty-eight of the Constitution of this state, for the purpose of providing suitable grounds and school buildings and equipment; provided, that due notice of said election shall be given by advertising in the newspapers of said city for thirty days immediately preceding the election, stating the time, place and hours of said election. The board shall appoint two judges, a sheriff and a clerk to hold said election in each precinct in the city, who shall be duly sworn before acting, and shall be qualified electors and residents of the city from which they are appointed.

On the day set apart for the election, the officers so appointed shall open a poll in each precinct of said city and shall ask of each voter duly qualified: "Are you in favor of the issuing of bonds to the amount of $..... for the purpose of providing suitable grounds, school buildings and equipment for said city." And the clerk shall record the answer "yes" or "no." If two-thirds of the voters voting at said election vote in favor of the issue of the bonds, they shall, when so issued, be placed under the control of the board of education, who shall determine when and at what price and how they shall be sold; provided, that no such bonds shall be sold for less than par, nor shall they bear greater interest than six per cent per annum. As the bonds are sold their proceeds shall be placed to the credit of the board in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purpose or purposes for which said bonds were issued. The bonds so issued shall be designated "School Improvement Bonds," and the order shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount to be issued; and the order shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, the coupons to be annexed, the tax to be levied to pay the interest and a sinking fund to retire such bonds at maturity.

It shall be the duty of the general council or the board of commissioners, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in its city tax levy a rate that will raise a sum that will be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. And the said taxes as collected shall be paid to the board of education or to its authorized agent, which shall create a sinking fund to take care of said bonds and pay the interest thereon.

§ 11. That the board of education shall have power to borrow money on the credit of the board in anticipation of

the revenues from school taxes for the fiscal half year in which the same is borrowed and pledge said school taxes for the payment of principal and interest of said loan; provided, that interest paid shall in no case exceed six per cent and the principal shall in no case exceed fifty per cent of the anticipated revenues for the fiscal one-half year in which same is borrowed.

§ 12. That each city shall raise a revenue from ad valorem taxes and a poll tax and license fees, and to that end the common council or commissioners of each city shall provide each year by ordinance for the assessment of all real and personal estate within the corporate limits thereof, subject to taxation for state purposes, and shall levy an ad valorem tax on same, not exceeding the rate and limit prescribed in the Constitution; and for school purposes not exceeding one dollar on each one hundred dollars of taxable property therein, and such portion of the poll tax or license fees as the council or commissioners may designate; to levy a poll tax not exceeding one dollar and fifty cents on each adult male inhabitant thereof, and may impose license fees on stock for breeding purposes, on franchises, trades, occupations and professions, and provide for the collection thereof. All taxes and license fees shall be levied or imposed by ordinance, and the purpose or purposes for which the same are levied or imposed shall be specified therein, and the revenue therefrom shall be expended for no other purpose than that for which it is collected.

Provided, however, that the limitations hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for the construction, improvement or acquisition of school buildings or property, and when such an indebtedness has been incurred that there may be levied, in addition to the tax hereinbefore authorized, an annual ad valorem tax sufficient to pay the interest on said indebtedness and also to constitute a sinking fund for the payment of the principal

thereof. The provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created.

The provisions of this section shall be applicable to and for the benefit of the schools in all cities of the third class, whether such school systems be established and maintained under any special act or amendment thereto, heretofore passed, or under the general laws of the state.

§ 13. That said board of education shall provide and maintain, out of the funds levied or otherwise provided for the purpose, suitable buildings, teachers and other employes, sufficient for the education of all children of the city between six and twenty years of age, and shall provide separate buildings and schools for education of white and black pupils; and no white child shall be allowed to attend any colored school, nor shall any colored child be allowed to attend any white school.

§ 14. That the trustees shall, before entering upon the duties of their office, take the oath, or make affirmation, as prescribed by law.

§ 15. That no member of the board of education shall be or become, directly or indirectly, interested in any contract, agreement or trade, touching the building of school houses, repairing of school property, selection of text books or other thing, or use his official position to secure the patronage of the teachers or employes of the schools. No member of the board of education shall receive any salary for his services as such.

§ 16. That said board of education shall elect its own treasurer and fix bond of same, who shall keep a distinct account of all moneys belonging unto, or which may hereafter be dedicated to, or set apart for, public schools, and shall only pay out or deliver any of said funds, upon the warrant of the board of education, countersigned by the secretary, and approved by the president of the board of education, and shall perform such other duties as may be prescribed by said board.

§ 17. That said board of education shall have exclusive control of all school funds of the city from whatever source the same may be derived, including the pro rata of the city from the common school fund of the state. It shall have the right to receive all fines, forfeitures and taxes that may inure to the benefit of the public schools of the city. It shall have power to expend all moneys in the interest of public schools of the city, and the warrants of the board of education, countersigned by the secretary and approved by the president of the board, shall be honored by the treasurer to the amount of the school funds in his custody.

§ 18. That all indebtedness, bonded or otherwise, and all liabilities and contracts of the school board, existing at the time this law takes effect, and all taxes, funds, sinking funds, or other resources, that have been pledged or set apart for the payment of the principal and interest thereof, shall continue unimpaired and remain of the same force and effect as though the same had been authorized and contracted by the express provision of this law.

§ 19. That no money shall be drawn from the funds, unless the same shall have been appropriated by order of the board of education and no appropriation of money shall be made to be paid out of said funds, unless the money shall actually be in the treasury to meet the draft.

§ 20. That a city of the third class, being one school district for taxing purposes and entitled to its portion of the school funds of the Commonwealth, the board of education shall make detailed reports annually and special reports as required by the State Superintendent of Public Instruction. The board shall also, in the year 1920, and every second year thereafter, or annually if they so desire, cause to be taken the census of children of school age and make returns thereof direct to the State Superintendent of Public Instruction at the same time other officers are required to make returns. They shall make two complete copies of such census by school districts and shall file one copy in the office of the board of

education of the city and the other in the office of the county superintendent of schools.

For the year in which no census is required to be taken, the State Superintendent of Public Instruction shall determine the amount per capita to be paid over to the board of education of such cities, by adding annually to the numbers of children of school age as shown by the next preceding census actually taken such increase or addition as he may ascertain to be the annual increase of children of the district upon averaging the yearly increase shown by three actual enumerations next preceding; provided, however, that the board of education of any such city may elect to take an actual census in any of such years, in which case the return of such census shall govern.

§ 21. That said board of education shall elect from its own number a president, for the term of two years, and may prescribe who shall preside in his absence, and make all necessary rules, prescribing the duties of the presiding officer and the government of itself; and said board shall also elect a secretary at a salary to be fixed by the board, whose duties it shall be to keep a record of the proceedings of all regular and special meetings, countersign all warrants and contracts, and whose term of office shall be two years.

§ 22. That said board of education shall have the power and right to establish and maintain a public school library out of any funds coming into its hands, and also to purchase text books for indigent children of the city, and to otherwise expend such moneys in the interest of the public schools. Said board of education shall have the power and right to make rules and regulations governing said school library.

§ 23. That said board shall have power to admit to said school pupils from beyond the limits of the city, and shall collect therefrom tuition fees for the benefit of the schools of the city, making deduction of taxes for school purposes on property in said city paid by parents of said children; and no children of persons residing beyond said limits shall be

admitted as pupils of any of said schools except on payment of such tuition fees as said board may require.

§ 24. That all laws and parts of laws in conflict herewith are hereby repealed, but the general school laws of the state, and all laws and parts of laws applicable to the general system of public schools in a city of the third class and not inconsistent herewith shall be in full force and effect in such city.

No section of this act shall be so construed as to repeal or modify in any wise any special act or amendment thereto passed heretofore for any city for the establishment, maintenance or carrying on of a public school system except such modifications as are specifically set forth in this act.

§ 25. On account of the importance of an immediate change in the educational systems of the cities of the third class, an emergency is hereby declared to exist and this act shall take effect from and after its passage.

Mr. Strange offered the following amendment (amendment No. 1) to House Bill No. 90, viz.:

Amend House Bill No. 90 in line 13, page 9, by striking out the words "one dollar" and inserting in lieu thereof the words "seventy-five cents."

Said amendment was disagreed to.

Mr. Strange then offered the following amendment (amendment No. 2), viz.:

Amend House Bill No. 90 by striking therefrom lines 64 to 90, both inclusive, of section 1.

Said amendment was disagreed to.

Mr. Strange then offered the following amendment (amendment No. 3), viz.:

Amend House Bill No. 90 by striking out the words "from the city at large by the qualified voters of the city at large," in lines 6 and 7, on page 3, and inserting in lieu thereof the following words: "the different wards by the qualified voters of said different wards."

Said amendment was disagreed to.

Mr. Johnson offered the following amendment (amendment No. 4), viz.:

Amend House Bill No. 90 by striking out the words "medical examiners, health nurses," in line 9, section 4, page 7, of printed bill.

A division being required thereon the vote stood as follows on said amendment, viz.:

In favor of said amendment, 40.

Against said amendment, 34.

Said amendment was adopted.

Ordered, that said bill be read the third time

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Frank Kennard | Dr. Lewis Ryans |
| L. H. Ballard | W. L. Kimbrough | W. P. Scott |
| J. M. Billiter | Dr. S. D. Laughlin | Dr. B. F. Shields |
| W. M. Boling | Hebron Lawrence | S. G. Smith |
| Rodney G. Bryson | Joseph Lazarus | H. A. Spillman |
| Roy J. Cain | Elmer Lusby | R. Lee Stewart |
| W. T. Carner | R. C. Marcum | Wm. A. Stewart |
| J. F. Carr | I. S. Mason | T. R. Stults |
| J. S. Cruse | A. J. McCandless | C. B. Truesdell |
| H. N. Dean | R. L. McFerron | John L. Trumbo |
| J. B. Denues | Homer C. McLellen | J. Wood Vance |
| A. L. Hamilton | Claude D. Minor | Fred C. VanHoose |
| E. C. Hardin | Mack J. Morgan | Daniel Vose |
| Talbert Holliday | Estill W. Neel | Geo. C. Waggoner |
| D. J. Howard | T. P. Oliver | A. M. Wash |
| Adam W. Huff | T. C. Pryse | J. S. Webb |
| R. O. Huntsman | S. C. Ray | Gladstone Wesley |
| J. W. Johnson | Sherman Robbins | R. E. Wilborn |
| Henry Kaufman | Lee Rogers | W. N. Winn |
| Griffin Kelly | B. A. Roth | Dr. W. S. Yazell |

—60

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. M. Knott | Frank L. Strange |
| W. T. Beckham | Rev. J. A. Lee | John W. Swope |
| B. L. Cox | John T. Murphy | John B. Thomas |
| P. A. Day | Chas. A. Nelson | J. Mack Thompson |
| H. C. Duffy | B. F. Reynolds | J. H. Thompson |
| Dr. W. L. Gossett | Chas. R. Scott | Dr. D. J. Travis |
| Robt. Humphreys | John T. E. Stites | Dr. T. R. Welch |

—21

Resolved, that the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance, who was absent at the time of roll call on House Bill No. 90, asked unanimous consent that he might be recorded as voting yea on said bill.

Unanimous consent was granted and it was so ordered.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 80. An act to repeal and re-enact chapter 22B, section 415B, Kentucky Statutes, Carroll's 1915 edition, and all amendments thereto.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That chapter 22b, section 415b, Kentucky Statutes, Carroll's 1915 edition, and all amendments thereto, be, and the same are, hereby repealed, and that the following be, and the same is, hereby re-enacted in lieu of same, to wit:

§ 1. That there is hereby created a department of the Adjutant General's Office to be known as the Confederate Pension Department, which shall be under the control of the Adjutant General.

§ 2. That the Adutant General shall have power to decide all questions arising under this act and his decision shall be final, except that any applicant who may not be satisfied with his rulings and decisions may appeal to the State Pension Board created by this act. The Governor, Auditor and Secretary of State shall constitute the State Pension Board. The decisions of said board shall be final in all cases appealed to it.

§ 3. The pension office shall be located in such room or rooms of the State Capitol as may be necessary for its use and designated by the Commissioners of the Sinking Fund.

§ 4. The necessary record books, blanks, stationery, postage, stamps, office fixtures and supplies, shall be furnished to this department as like supplies are furnished to the Executive Departments as provided in section 347, Kentucky Statutes.

§ 5. The Adjutant General shall have power to employ one clerk at a salary not to exceed sixteen hundred ($1,600.00) dollars per annum, who shall perform all duties in connection with this department and such other duties as may be prescribed by the Adjutant General, and his salary shall be paid as the salaries of other departments of the state government are paid out of the general expenditure fund.

§ 6. That any indigent or disabled person who has been an actual bona fide resident of this state continuously since January 1, 1907, and who did actual military service in the Confederate Army from the day of his enlistment until the close of the war or until he was honorably discharged as an officer or a private soldier or sailor in the military or naval service of the Confederate States of America in the war of 1861-5, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death shall be paid out of the state treasury the sum of twelve ($12.00) dollars per month upon the proof of the facts according to forms and regulations prescribed by this act and conditions prescribed therein; provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private

soldier or sailor who deserted or was dishonorably discharged shall not be entitled to the benefits of this act unless he be re-enlisted or return to the service in the Confederate Army and serve until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

§ 7. That when a person to whom a pension has been granted dies, the amount due the decedent on the date of death shall be paid to an administrator who shall be appointed by the county judge of the county where the pensioner resided at time of death. The administrator shall, before the next succeeding date for payment for pensions, file with the Adjutant General a copy of the order of appointment certified to by the county clerk. The Adjutant General shall, in time for the next succeeding day on which pensions are to be paid, furnish to said administrator a voucher for the amount due the pensioner at time of death, which shall be filled out and returned to the Adjutant General and filed by him with the Auditor, who shall issue his warrant as other pension warrants are issued, payable to said administrator, who shall pay the proceeds thereof to the widow of the deceased soldier or sailor. In case the pensioner left no widow, or was a widow, the administrator shall use the pension money toward defraying the expenses of the last illness and burial of the pensioner; if there shall be any more than necessary to pay these expenses, he shall distribute the same as required by law of other funds belonging to the estate of the deceased.

§ 8. That no claim shall arise by death or otherwise against the state before a pension has been allowed the applicant. That should a pension be granted on the application of a person who has died after the application was filed and before the pension was granted, no claim shall thereby be created against the state.

§ 9. That no person shall be entitled to the benefits of this act who is able to earn a support by manual labor; or

Who is able to earn a support by reason of his or her knowledge, art, or skill, in any profession, trade or craft; or

Who receives a pension from the United States or any other state or foreign government, or any other source; or

Who removes from this state or is absent therefrom for a period of three months; or

Who possesses property of the value of two thousand five hundred dollars; or

Who possesses an income to the amount of three hundred dollars a year, or an income equivalent to three hundred dollars a year; or who is living with his wife who possesses property in fee simple or a life interest of the value of two thousand five hundred dollars, or an income of three hundred dollars per year; or

Whose support is suitably provided for and secured by reason of a contract or agreement with a person able to provide such support; or

Who by reason of combined partial ability to earn a support and income and property, or any and all of these combined is able to obtain an income equivalent to three hundred dollars a year.

§ 10. The Adjutant General shall prescribe such regulations governing the filing, prosecuting, adjudicating, and payment of pension claims as may be necessary for carrying out the provisions of this act.

§ 11. Applications for pensions shall be made in duplicate under oath, substantially in form as prescribed by the Adjutant General, and shall be attested by two reputable witnesses as to the identity of the applicant. The application shall be filed in the county court of the county where the claimant resides on or before any regular term of said court and lay over until a subsequent regular term when the judge thereof shall hear testimony in open court as to the applicant's citizenship, residence, and means of support. The county attorney shall be present and represent the Commonwealth and may produce evidence concerning any facts relative to the

claim. The judge of said court shall make a finding of facts as shown by the evidence and forward the same with a brief memorandum of the testimony of each witness heard with his name and post office address, together with his own recommendation upon the merits of the claim and a copy of the application to the Adjutant General. The duplicate application shall remain on file in the county clerk's office. The hearing on the application may be continued from time to time upon the motion of the claimant, but shall not be continued more than once over the objection of the claimant.

§ 12. The findings and recommendation of the county judge shall not be final or conclusive upon any of the issues, but the Adutant General may call upon the applicant for additional evidence covering any facts necessary to support the claim. When the claimant shall have furnished all evidence called for by the Adjutant General or declared his inability to furnish any additional evidence the claim shall then be passed upon by the Adjutant General.

§ 13. Any person who shall wilfully or corruptly swear to an application for pension, or who shall make a wilful and false statement, under oath, in support of the application of any person, shall be deemed guilty of perjury, and upon conviction shall be punished as provided by the laws of state for that offense.

§ 14. Upon receipt of an application for pension properly executed the Adjutant General shall cause the claimant's military record to be examined and a report thereon shall be filed with the application.

§ 15. When a pension shall have been allowed the Adjutant General shall issue to the applicant a pension certificate, showing that he, or she, is entitled to a pension at the rate of twelve ($12.00) dollars per month from the first day of August, 1918. Payments shall be made on said certificate quarterly each year, on the 15th day of February, May, August and November, upon the proper execution of a voucher of the pensioner before an officer authorized to ad-

minister oaths and having a seal. Voucher shall be furnished to the pensioner by the Adjutant General and returned to him after being properly executed. The Adjutant General shall then prepare the pension roll for the quarterly payment. with the post office address and the amount due each pensioner, and file the same, together with the vouchers, with the Auditor. The Auditor shall then issue his warrant upon the Treasurer for the respective sums and the Treasurer shall forward a treasury check to the address of each pensioner. In the event there is not sufficient funds in the hands of the Treasurer to justify the issuing of the pension check thus provided for the Auditor's warrant shall be stamped interest bearing by the Treasurer, at the rate of five per cent, and mailed to the pensioner.

§ 16. Any person entitled to a pension under the provisions of this act who shall forfeit same by taking up his residence in another state may have same restored to him by making application to the Adjutant General, if he returns to the state in good faith to take up his actual residence in this state.

§ 17. No person shall charge or demand, or receive, more than five dollars for his services as agent or attorney in prosecuting any claim for pension under this act, and any person who shall violate the provisions of this section shall be fined not less than one hundred dollars and not more than three hundred dollars for each offense.

§ 18. No pension granted under this act while due or to become due to a pensioner shall be liable to attachment or levy or seizure by, or under any legal or equitable process whatever, whether same remains with the state or in course of transmission to the pensioner entitled thereto.

§ 19. Once each year every pensioner under this act shall furnish in addition to the usual voucher a certificate from the county judge of the county where he, or she, resides, to the effect that the holder of the pension certificate is the identical person to whom the same was issued, and to the best

of his knowledge and belief there has occurred no changes in the financial condition which would render the pensioner ineligible to receive a pension.

§ 20. When, in the opinion of the State Board of Pensions, or the Adjutant General, any pension that may have been granted, or any claim for pension, should be specially investigated, it shall be the duty of the Adjutant General to make such investigation as may be deemed necessary, and file a report, in writing, of the result thereof with the application. He shall have power to summons and swear witnesses to appear before him and give testimony in the county where the applicant or pensioner lives in making such investigation and shall be paid his actual expenses incurred in making such investigation out of the general expenditure fund of the state.

§ 21. The Adjutant General shall furnish to any Confederate soldier, or widow of Confederate soldier, or attorney for such soldier or widow, of this state, blank applications for pensions upon request for same.

§ 22. No official fee shall be charged by any officer of the state or any county of the state for services in connection with the prosecution or collection of any pension under this act provided that this section shall not apply to notaries public.

§ 23. The Adjutant General shall once each year make and publish a report showing the name, county and post office address of each person who is receiving a pension under this act and copies thereof shall be furnished to the county judge, county attorney, county clerk, and sheriff of each county in the state.

§ 24. In cases where a pension has been granted, if the Adjutant General or the State Pension Board finds that the pension was wrongfully granted, or that the pensioner has moved out of the state, or in any other way becomes no longer entitled thereto, they shall have authority to drop the said pensioner's name from the pension roll after first giving him, or her, as the case may be, thirty days' notice by registered

mail, thus giving the pensioner an opportunity to be heard or present any evidence they may desire to offer as to why his, or her, name shall not be dropped from the pension roll.

§ 25. In any case where a pensioner drawing a pension under this act enters the State Confederate Home he shall not receive any pension for the period he shall remain there, but this section shall not be construed to mean that after a person has been granted a pension he can spend part of his time in the home and receive the benefits thereof, and a part of his time out of the home and receive the pension, but he must elect to remain permanently as an inmate of the home or permanently out of it.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | Henry Kaufman | S. C. Ray |
| L. H. Ballard | W. L. Kimbrough | Sherman Robbins |
| J. M. Billiter | Hebron Lawrence | Lee Rogers |
| Rodney G. Bryson | Joseph Lazarus | B. A. Roth |
| Roy J. Cain | R. C. Marcum | Dr. Lewis Ryans |
| W. T. Carner | I. S. Mason | S. G. Smith |
| J. F. Carr | A. J. McCandless | R. Lee Stewart |
| H. N. Dean | R. L. McFerron | Wm. A. Stewart |
| J. B. Denues | Homer C. McLellen | John T. E. Stites |
| Talbert Holliday | Mack J. Morgan | T. R. Stults |
| Adam W. Huff | Estill W. Neel | C. B. Truesdell |
| R. O. Huntsman | T. C. Pryse | John L. Trumbo |

| | | |
|---|---|---|
| Fred C. VanHoose | J. S. Webb | Dr. W. S. Yazell |
| Daniel Vose | Gladstone Wesley | |
| A. M. Wash | R. E. Wilborn | —43 |

Those who voted in the negative were—

| | | |
|---|---|---|
| W. T. Beckham | Frank Kennard | H. A. Spillman |
| W. M. Boling | J. M. Knott | Frank L. Strange |
| B. L. Cox | Dr. S. D. Laughlin | John W. Swope |
| P. A. Day | Rev. J. A. Lee | John B. Thomas |
| H. C. Duffy | Elmer Lusby | J. Mack Thompson |
| J. W. Geveden | Claude D. Minor | J. H. Thompson |
| Dr. W. L. Gossett | John T. Murphy | Dr. D. J. Travis |
| E. C. Hardin | Chas. A. Nelson | J. Wood Vance |
| D. J. Howard | B. F. Reynolds | Dr. T. R. Welch |
| Robt. Humphreys | Chas. R. Scott | W. N. Winn |
| J. W. Johnson | W. P. Scott | |
| Griffin Kelly | Dr. B. F. Shields | —34 |

Mr. Howard made the point of order that the bill carried an appropriation and that 51 votes are necessary for its passage.

The Speaker stated that he was in doubt as to whether the bill carried an appropriation and reserved his decision thereon until Monday, February 9th.

Ordered, that said bill retain its present status until that time.

The house took up for consideration from the orders of the day a bill entitled:

H. B. 138. An act to increase the tax which cities of the first class are authorized to levy for the support of a Municipal University, and for that purpose to amend and re-enact section 1 of chapter 52 of the Acts of the General Assembly of 1916, which was approved by the Governor on March 23rd,

1916, being paragraph 1 of section 2948-a of the Kentucky Statutes, Carroll's 1918 edition.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 1 of chapter 52 of the Acts of the General Assembly of the Commonwealth of Kentucky, being paragraph 1 of section 2948-A of the Kentucky Statutes, Carroll's 1918 edition, is hereby amended by striking out the word "three" therein and inserting in lieu thereof the word "five," so that said section, as amended and re-enacted hereby shall read as follows:

"Section 1. That the general council of any city of the first class, which has a municipal university as defined in this act, may annually cause to be levied and collected for support of such university a tax of not less than one cent nor more than five cents on each hundred dollars' worth of property subject to taxation for city purposes."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | W. M. Boling | Charles M. Ciarlo |
| L. H. Ballard | Rodney G. Bryson | B. L. Cox |
| W. T. Beckham | Roy J. Cain | J. S. Cruse |
| J. M. Billiter | J. F. Carr | P. A. Day, |

| | | |
|---|---|---|
| H. N. Dean | Homer C. McLellen | Frank L. Strange |
| J. B. Denues | Claude D. Minor | T. R. Stults |
| E. C. Hardin | Mack J. Morgan | John W. Swope |
| Talbert Holliday | John T. Murphy | J. Mack Thompson |
| Adam W. Huff | Estill W. Neel | J. H. Thompson |
| Robt. Humphreys | Chas. A. Nelson | Dr. D. J. Travis |
| J. W. Johnson | S. C. Ray | C. B. Truesdell |
| Henry Kaufman | B. F. Reynolds | John L. Trumbo |
| Frank Kennard | Sherman Robbins | J. Wood Vance |
| W. L. Kimbrough | B. A. Roth | Fred C. VanHoose |
| J. M. Knott | Dr. Lewis Ryans | Daniel Vose |
| Dr. S. D. Laughlin | Chas. R. Scott | Geo. C. Waggoner |
| Hebron Lawrence | W. P. Scott | A. M. Wash |
| Joseph Lazarus | Dr. B. F. Shields | J. S. Webb |
| Elmer Lusby | S. G. Smith | Dr. T. R. Welch |
| I. S. Mason | R. Lee Stewart | Gladstone Wesley |
| A. J. McCandless | Wm. A. Stewart | Dr. W. S. Yazell |
| R. L. McFerron | John T. E. Stites | —65 |

Resolved, that the title thereof be as aforesaid.

Mr. Roth moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence moved to adjourn.

Mr. Lazarus moved to amend that motion by adjourning at one o'clock p. m. today.

Said amendment was lost.

A roll call being demanded on said motion to adjourn, the call resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Frank Kennard | S. G. Smith |
| W. T. Beckham | J. M. Knott | H. A. Spillman |
| W. M. Boling | Dr. S. D. Laughlin | John T. E. Stites |
| Rodney G. Bryson | Hebron Lawrence | Frank L. Strange |
| B. L. Cox | Elmer Lusby | T. R. Stults |
| J. S. Cruse | I. S. Mason | John B. Thomas |
| P. A. Day | Homer C. McLellen | Dr. D. J. Travis |
| J. B. Denues | Claude D. Minor | C. B. Truesdell |
| H. C. Duffy | John T. Murphy | John L. Trumbo |
| J. W. Geveden | Estill W. Neel | J. Wood Vance |
| Dr. W. L. Gossett | Chas. A. Nelson | Fred C. VanHoose |
| E. C. Hardin | B. F. Reynolds | Geo. C. Waggoner |
| Talbert Holliday | Sherman Robbins | A. M. Wash |
| D. J. Howard | Dr. Lewis Ryans | Dr. T. R. Welch |
| Robt. Humphreys | Chas. R. Scott | Gladstone Wesley |
| J. W. Johnson | W. P. Scott | W. N. Winn |
| Griffin Kelly | Dr. B. F. Shields | —50 |

Those who voted in the negative were—

| | | |
|---|---|---|
| L. H. Ballard | R. O. Huntsman | B. A. Roth |
| H. H. Barnes | Henry Kaufman | R. Lee Stewart |
| J. M. Billiter | W. L. Kimbrough | Wm. A. Stewart |
| Roy J. Cain | Joseph Lazarus | J. Mack Thompson |
| J. F. Carr | A. J. McCandless | Daniel Vose |
| Adam W. Huff | S. C. Ray | J. S. Webb |

—18

Said motion was adopted.

The following pair was announced to be effective until further notice, viz.:

Mr. Kelly, who will be away, with Mr. Huff, on all party measures.

The House, at one p. m., adjourned until Monday, February 9th, at one o'clock p. m.

MONDAY, FEBRUARY 9, 1920.

The House was called to order by the Speaker at 1:00 p. m.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the Presbyterian church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | T. P. Oliver |
| Sidney Alfrey | D. J. Howard | T. C. Pryse |
| L. H. Ballard | Adam W. Huff | B. F. Reynolds |
| W. T. Beckham | Robt. Humphreys | J. L. Richardson |
| J. M. Billiter | J. W. Johnson | Sherman Robbins |
| W. M. Boling | Henry Kaufman | Lee Rogers |
| Jo F. Bosworth | Frank Kennard | B. A. Roth |
| Rodney G. Bryson | W. L. Kimbrough | Dr. Lewis Ryans |
| Roy J. Cain | J. M. Knott | Chas. R. Scott |
| W. T. Carner | Dr. S. D. Laughlin | W. P. Scott |
| J. F. Carr | Hebron Lawrence | Dr. B. F. Shields |
| T. L. Caudel | Joseph Lazarus | S. G. Smith |
| Charles M. Ciarlo | Rev. J. A. Lee | H. A. Spillman |
| B. L. Cox | Elmer Lusby | R. Lee Stewart |
| P. A. Day | R. C. Marcum | Wm. A. Stewart |
| H. N. Dean | I. S. Mason | John T. E. Stites |
| J. B. Denues | A. J. McCandless | Frank L. Strange |
| H. C. Duffy | R. L. McFerron | John W. Swope |
| Dr. T. H. Gamblin | Homer C. McLellen | J. Mack Thompson |
| Dr. W. L. Gossett | Claude D. Minor | J. H. Thompson |
| A. L. Hamilton | Mack J. Morgan | Dr. D. J. Travis |
| A. F. Hanberry | John T. Murphy | C. B. Truesdell |
| E. C. Hardin | Estill W. Neel | John L. Trumbo |
| Dr. W. L. Haynes | Chas. A. Nelson | Fred C. VanHoose |

| | | | |
|---|---|---|---|
| Daniel Vose | J. S. Webb | W. N. Winn | |
| Geo. C. Waggoner | Gladstone Wesley | | |
| A. M. Wash | V. M. Williamson | | —79 |

On motion of Mr. Roth the reading of the Journal of Friday's proceedings was dispensed with and the Journal approved.

An indefinite leave of absence was granted to Messrs. Cruse, Meyers, Ray and Dr. Yazell.

A leave of absence for three days was granted to Mr. Kelly.

A communication from the grand jury of Kenton county asking for the passage of Senate Bill No. 66 was read to the House.

Said communication reads as follows, viz.:

*To the House of Representatives, Frankfort, Ky.:*

MR. SPEAKER AND GENTLEMEN:—The grand jury of Kenton county respectfully petitions your honorable body to at once take up and enact the bill recently passed by the Senate, having for its purpose the destruction of the handbook evil.

The handbooks have long been the most harmful and annoying evil with which the cities of our county, and we presume, the other cities of the state, have had to contend. The wrong is far reaching and most cruel in its results. Like the old lottery of infamous memory, the handbook finds its victims very largely among the poor, the ignorant and those to whom the loss involved means actual privation.

The crime is well organized and is financially powerful. Its influence is widespread and morally and politically cor-

rupting. The existing law is wholly inadequate; so much so in fact that it practically constitutes no deterrent whatever.

We are informed that the measure now pending before your body, is effective and will produce the desired results.

We earnestly beg of you its early enactment.

Very respectfully yours,

THE GRAND JURY OF KENTON COUNTY.
MARSHALL HILL, *Foreman.*

The privilege of the floor was granted to J. Mat Chilton and Frank C. Green.

The following bills were delivered to the committees to which they had been referred: House Bills numbered 334, 384, 336, 395, 391, 337, 339, 333, 357, 340, 385, 347, 369, 342, 371, 367, 366, 341, 348, 349, 346, 343, 359, 356, 338, 370, 335, 396 and Senate Bills Nos. 23 and 18.

A message was received from the Budget Commission asking additional time until February 13th to prepare the report, message and preparation of bills.

Said communication reads as follows, viz.:

*Gentlemen of the House of Representatives of the Commonwealth of Kentucky*:

On January 26th, 1920, we sent a communication to you asking the indulgence of the General Assembly until today for the preparation of the report, message and preparation of bills required to be submitted to you under the Budget Appropriation Commission Act of 1918. You very generously granted this request, and since our first communication we have been diligently laboring in the preparation of the said report, message and bills. Due to illness in the family of one of the members of the commission, and other unexpected

matters which have arisen, we have found ourselves yet unready to present to your body the said budget report, message and the bills drawn in conformity to the same. For this reason we want again to ask the indulgence of the House of Representatives until Friday, February 13th, in which to submit said report, message and bills.

A similar message has this day been sent to the Senate of the Commonwealth of Kentucky.

BUDGET APPROPRIATION COMMISSION,
By EDWIN P. MORROW, *Chairman,*
JOHN J. CRAIG, *Commissioner,*
J. A. SCOTT, *Commissioner.*

February 9, 1920.

Said time was granted.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 154, 138, 33, 90, 123, 1.

The following communication was received from the Governor, viz.:

Office of the Governor.

Governor and Mrs. Morrow, Lieut. Governor and Mrs. Ballard regret to announce that the reception to the General Assembly and their families, and to which the general public was invited, for Wednesday evening of this week, is postponed on account of the unfortunate loss of life at Lexington, Ky.

The following communication was received from Robert T. Scott, private secretary and assistant to Attorney General Palmer, of Washington, D. C., viz.:

ROBERT T. SCOTT

PRIVATE SECRETARY AND ASSISTANT
TO THE ATTORNEY GENERAL.

WASHINGTON

February 5, 1920.

*Lilburn Phelps, Esquire, Chief Clerk, House of Representatives, Frankfort, Kentucky:*

MY DEAR SIR:—I have been directed by the Attorney General to advise you he would be pleased to accept your invitation to address the General Assembly of Kentucky on February twenty-fifth. He will arrive in Frankfort from Louisville at nine-forty in the morning. The hour at which he should address the General Assembly can be arranged at your convenience between the time of his arrival and that of his departure at five-thirty in the afternoon. Will you please advise me what hour is decided upon?

I am addressing a similar letter to the Chief Clerk of Senate.

Very truly yours,

R. T. SCOTT.

Mr. J. H. Thompson moved to reconsider the vote on House Bill No. 80, which vote was taken on Friday, February 6th.

Said motion was agreed to.

Mr. Lazarus moved to recommit said bill to the Committee on Appropriations, with leave to report at any time.

Said motion was adopted.

It was so ordered.

Mr. Hardin moved to recommit House Bill No. 181 to Committee on Alcoholic Liquor Traffic, with leave to report at any time.

Said motion was agreed to.

Said bill was so referred.

Mr. Smith moved to make House Bill No. 60 a special order for Tuesday, February 10th, at 11 o'clock a. m.

Said motion was agreed to.

A message was received from the Senate announcing that that body had passed Senate Resolution No. 11, entitled:

"A resolution authorizing J. B. White to sue the Commonwealth of Kentucky to set aside a sheriff's sale for taxes of land situated in Wolfe county, claimed to have been wrongfully sold for taxes and purchased by the Commonwealth."

Said resolution was referred to the Committee on Appropriations.

Also that the Senate had passed Senate Resolution No. 12, entitled: "A resolution authorizing William Hearn and L. A. Watson to sue the Commonwealth of Kentucky to set aside the sheriff's sale for taxes of certain oil leases situated in Wolfe county claimed to have been wrongfully sold for taxes and purchased by the Commonwealth."

Said resolution was referred to the Committee on Appropriations.

Mr. Neel moved to extend today's session indefinitely.

Said motion was adopted.

Mr. Minor moved that a committee of three be appointed for the purpose of fixing the hour for the address of Attorney General Palmer.

Said motion was adopted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 101. An act entitled an act to amend section 125c of the Kentucky Statutes, relating to a stenographer for Commonwealth's attorneys in counties of over 200,000, and providing for an increase in salary thereof.

Mr. Roth moved that the consideration of said bill be deferred and that said bill be allowed to retain its place at the head of the orders of the day.

Said motion was adopted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 103. An act to amend and re-enact section twenty-eight hundred and thirty-four (2834), Carroll's Kentucky Statutes, edition of 1915, being section seventy-one (71) of the act entitled, "An act for the Government of cities of the first class," approved July 1, 1893.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section twenty-eight hundred and thirty-four (2834) of Carroll's Kentucky Statutes, edition of 1915, being section seventy-one (71) of the act entitled, "An act for the

government of cities of the first class,'' approved July 1, 1893, be, and the same is, hereby amended and re-enacted so that the same shall read as follows:

Sec. 2834. Lien for Cost of Constructing Public Ways, Sidewalks, Wells and Cisterns—Passage of Ordinance.—A lien shall exist for the cost of original improvement of public ways, for the construction and the reconstruction of sidewalks, and for the digging and walling of public wells and cisterns, for the apportionment and interest thereon at the rate of six per cent per annum against the respective lots. Payment may be enforced upon the property bound therefor by proceedings in court; and no error in the proceedings of the general council shall exempt from payment after the work has been done as required by either the ordinance or contract; but the general council, or the courts in which suits may be pending, shall make all corrections, rules and orders to do justice to all parties concerned; and in no event, if such improvement be made as is provided for, either by ordinance or contract, shall the city be liable for such improvement, without the right to enforce it against the property receiving the benefit thereof; but no ordinance for any original improvement mentioned in this act shall pass both boards of the general council at the same meeting, and at least two weeks shall elapse between the passage of any such ordinance from one board to the other; provided, that whenever, in any action to enforce such lien, it shall be pleaded by the owner of any property and the court shall find that the amount apportioned against the property is greater than seventy-five per cent of its value, the court shall determine what is seventy-five per cent of such value and adjudge a lien for that amount and interest, and the city shall pay the balance of the amount so apportioned out of the fund for general purposes.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | Sherman Robbins |
| Sidney Alfrey | R. O. Huntsman | Lee Rogers |
| L. H. Ballard | J. W. Johnson | B. A. Roth |
| W. T. Beckham | Henry Kaufman | Chas. R. Scott |
| J. M. Billiter | Frank Kennard | W. P. Scott |
| W. M. Boling | W. L. Kimbrough | H. A. Spillman |
| Rodney G. Bryson | J. M. Knott | R. Lee Stewart |
| Roy J. Cain | Dr. S. D. Laughlin | Wm. A. Stewart |
| W. T. Carner | Hebron Lawrence | John T. E. Stites |
| J. F. Carr | Joseph Lazarus | Frank L. Strange |
| T. L. Caudel | Rev. J. A. Lee | John W. Swope |
| Charles M. Ciarlo | Elmer Lusby | J. H. Thompson |
| B. L. Cox | R. C. Marcum | Dr. D. J. Travis |
| P. A. Day | I. S. Mason | C. B. Truesdell |
| H. N. Dean | A. J. McCandless | John L. Trumbo |
| J. B. Denues | R. L. McFerron | J. Wood Vance |
| H. C. Duffy | Homer C. McLellen | Fred C. VanHoose |
| Dr. T. H. Gamblin | Claude D. Minor | Daniel Vose |
| J. W. Geveden | Mack J. Morgan | A. M. Wash |
| Dr. W. L. Gossett | John T. Murphy | J. S. Webb |
| A. L. Hamilton | Estill W. Neel | W. G. Wheeler |
| A. F. Hanberry | Chas. A. Nelson | V. M. Williamson |
| E. C. Hardin | T. P. Oliver | W. N. Winn |
| Dr. W. L. Haynes | T. C. Pryse | |
| D. J. Howard | B. F. Reynolds | —73 |

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 102. An act to amend and re-enact section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, edition of 1915, being section forty-eight (48) of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893, as amended by an act approved Feb. 4th, 1894, and by an act approved March 15, 1912.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, edition 1915, being section forty-eight (48) of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893, as amended by an act approved Feb. 4th, 1894, and by an act approved March 15, 1912, by striking from said section the following words:

"Provided further, that no person employed under the Board of Public Works shall receive a salary in excess of one thousand five hundred dollars per annum, except the following:

One chief engineer.

One first assistant engineer, whose salary shall not exceed two thousand five hundred dollars per annum.

One assistant engineer, whose salary shall not exceed two thousand dollars per annum."

So that said section, as amended, shall read:

Boards May Appoint and Remove Chiefs of Departments —Cause for Removal.—Each of said boards may appoint and, at pleasure, remove a chief of each department under his control. The Board of Public Works shall have the power to appoint a chief engineer for the city and such subordinate engineers as may be necessary; provided, that all applicants for the position of chief engineer shall first be examined by a board of three competent civil engineers, to be elected by the general council, and that no applicant who fails to pass an examination satisfactory to said board of examiners shall be eligible to the office of chief engineer, and no person shall hold the office of chief engineer until he shall have passed said examination. In all cases where the examination is made in writing all the papers shall be filed of public record with the secretary of the Board of Public Works. The general council shall have the power to fix the compensation of the said board of examiners. Subordinate officers and employes may be removed or punished by the board on recommendation of the chief of the department concerned, for cause, subject to such regulations as may be prescribed by ordinance or by the board. The cause for the removal of any subordinate as aforesaid must be stated in writing, and be transmitted to the board, and the board may, in its discretion, retain or dismiss such subordinate. No officer or employe shall be removed for political causes. Interference in elections, electioneering or canvassing for any officer or employe of said board shall be cause for instant removal.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Dr. W. L. Haynes | Sherman Robbins |
| Sidney Alfrey | J. W. Johnson | Lee Rogers |
| L. H. Ballard | Henry Kaufman | B. A. Roth |
| W. T. Beckham | J. M. Knott | Dr. Lewis Ryans |
| J. M. Billiter | Dr. S. D. Laughlin | Chas. R. Scott |
| W. M. Boling | Hebron Lawrence | W. P. Scott |
| Rodney G. Bryson | Joseph Lazarus | S. G. Smith |
| Roy J. Cain | Rev. J. A. Lee | H. A. Spillman |
| W. T. Carner | Elmer Lusby | R. Lee Stewart |
| J. F. Carr | R. C. Marcum | Wm. A. Stewart |
| T. L. Caudel | I. S. Mason | John T. E. Stites |
| B. L. Cox | A. J. McCandless | Frank L. Strange |
| P. A. Day | R. L. McFerron | John W. Swope |
| H. N. Dean | Homer C. McLellen | J. Mack Thompson |
| J. B. Denues | Claude D. Minor | C. B. Truesdell |
| H. C. Duffy | Mack J. Morgan | John L. Trumbo |
| Dr. T. H. Gamblin | John T. Murphy | Fred C. VanHoose |
| J. W. Geveden | Estill W. Neel | Daniel Vose |
| Dr. W. L. Gossett | Chas. A. Nelson | A. M. Wash |
| A. L. Hamilton | T. P. Oliver | J. S. Webb |
| A. F. Hanberry | T. C. Pryse | Gladstone Wesley |
| E. C. Hardin | B. F. Reynolds | W. N. Winn |

—66

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 137. An act to amend and re-enact Kentucky Statutes, section 2946A-4, 1918, supplement to Carroll's edition, 1915, relating to the salary and expenses of the office of court matron of the police court in cities of the first class.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 2946A-4, Kentucky Statutes, 1918 supplement to Carroll's edition, 1915, be, and it is, amended by striking out from said section the words "seventy-five dollars ($75.00)" and substituting therefor the words "one hundred and fifty dollars ($150.00)" so that said section 2946A-4, as amended, shall read as follows:

"Section 2946A-4. Said matron shall be paid out of the city treasury a salary of one hundred and fifty dollars ($150.00) per month; and shall be allowed all necessary expenses incidental to investigation of cases, subject to the approval of the judge of the police court."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. T. Beckham | Rodney G. Bryson |
| Sidney Alfrey | J. M. Billiter | Roy J. Cain |
| L. H. Ballard | W. M. Boling | W. T. Carner |

| | | |
|---|---|---|
| J. F. Carr | Dr. S. D. Laughlin | S. G. Smith |
| T. L. Caudel | Hebron Lawrence | R. Lee Stewart |
| B. L. Cox | Joseph Lazarus | Wm. A. Stewart |
| P. A. Day | Rev. J. A. Lee | John T. E. Stites |
| H. N. Dean | Elmer Lusby | Frank L. Strange |
| J. B. Denues | R. C. Marcum | John W. Swope |
| H. C. Duffy | I. S. Mason | Dr. D. J. Travis |
| Dr. W. L. Gossett | A. J. McCandless | C. B. Truesdell |
| A. F. Hanberry | Claude D. Minor | John L. Trumbo |
| E. C. Hardin | Chas. A. Nelson | J. Wood Vance |
| Dr. W. L. Haynes | T. C. Pryse | Fred C. VanHoose |
| D. J. Howard | Sherman Robbins | Daniel Vose |
| Robt. Humphreys | Lee Rogers | Geo. C. Waggoner |
| J. W. Johnson | B. A. Roth | J. S. Webb |
| Henry Kaufman | Dr. Lewis Ryans | Gladstone Wesley |
| Frank Kennard | Chas. R. Scott | V. M. Williamson |
| J. M. Knott | W. P. Scott | W. N. Winn |

—60

There voted in the negative—

W. L. Kimbrough —1

Resolved, that the title thereof be as aforesaid.

Mr. Roth moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 178. An act to amend and re-enact chapter 115 of the Acts of 1916, being an act entitled, "An act providing a stenographer in the county attorney's office in counties containing cities of the first class."

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That chapter 115 of the Acts of 1916 be, and the same is, hereby amended and re-enacted so when amended and re-enacted the same will read as follows:

"That in all counties of this Commonwealth containing a city of the first class there is hereby created the office of stenographer to the county attorney, to be appointed by the county attorney for a term of four years, but removable by him at any time; the salary of said stenographer to be not less than $1,200 per annum and not more then $1,500 per annum, to be fixed by the county attorney, with the approval of the fiscal court of said county, and payable out of the county levy in regular monthly installments.

"It shall be the duty of said stenographer to do the stenographic work and typewritten work required in the county attorney's office, and by virtue of the office shall have the same power of administering an oath as a notary public."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. T. Beckham | W. T. Carner |
| Sidney Alfrey | W. M. Boling | J. F. Carr |
| L. H. Ballard | Rodney G. Bryson | T. L. Caudel |
| H. H. Barnes | Roy J. Cain | Charles M. Clarke |

| | | |
|---|---|---|
| B. L. Cox | Rev. J. A. Lee | W. P. Scott |
| P. A. Day | Elmer Lusby | S. G. Smith |
| J. B. Denues | R. C. Marcum | R. Lee Stewart |
| Dr. T. H. Gamblin | I. S. Mason | Wm. A. Stewart |
| Dr. W. L. Gossett | A. J. McCandless | John T. E. Stites |
| A. L. Hamilton | R. L. McFerron | Frank L. Strange |
| A. F. Hanberry | Homer C. McLellen | Dr. D. J. Travis |
| E. C. Hardin | John T. Murphy | C. B. Truesdell |
| Dr. W. L. Haynes | Estill W. Neel | John L. Trumbo |
| Robt. Humphreys | Chas. A. Nelson | J. Wood Vance |
| R. O. Huntsman | T. C. Pryse | Daniel Vose |
| J. W. Johnson | B. F. Reynolds | A. M. Wash |
| Henry Kaufman | Sherman Robbins | J. S. Webb |
| J. M. Knott | Lee Rogers | Gladstone Wesley |
| Dr. S. D. Laughlin | B. A. Roth | V. M. Williamson |
| Hebron Lawrence | Dr. Lewis Ryans | W. N. Winn |
| Joseph Lazarus | Chas. R. Scott | —62 |

There voted in the negative—

W. L. Kimbrough —1

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 194. An act to amend and re-enact section 491 of the Civil Code of Practice, relating to the sale of real estate and the reinvestment of the proceeds.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 491 of the Civil Code of Practice be, and the same is, nereby amended by adding in the last line thereof, between the words "real" and "property" the words "or personal," so that said section, when amended, will read as follows, viz.:

"In an equitable action by the owner of a particular estate of freehold in possession or by his guardian or committee if he be an infant or of unsound mind, against the owner of the reversion or remainder, though he be an infant or of unsound mind, and against the owner of the particular estate if he be an infant or of unsound mind; or, if the remainder be contingent, against the person, if in being, in whom it would have vested if the contingency had happened before commencement of the action, though he be an infant or of unsound mind, and against the owner of the particular estate if he be an infant or of unsound mind—real property may be sold for investment of the proceeds in other real or personal property."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. T. Beckham | Roy J. Cain |
| L. H. Ballard | J. M. Billiter | W. T. Carner |
| H. H. Barnes | W. M. Boling | J. F. Carr |

| | | |
|---|---|---|
| Charles M. Ciarlo | J. M. Knott | Dr. Lewis Ryans |
| B. L. Cox | Dr. S. D. Laughlin | Chas. R. Scott |
| P. A. Day | Hebron Lawrence | W. P. Scott |
| H. N. Dean | Joseph Lazarus | Dr. B. F. Shields |
| J. B. Denues | Rev. J. A. Lee | S. G. Smith |
| H. C. Duffy | Elmer Lusby | H. A. Spillman |
| Dr. T. H. Gamblin | R. C. Marcum | R. Lee Stewart |
| J. W. Geveden | I. S. Mason | John T. E. Stites |
| Dr. W. L. Gossett | A. J. McCandless | Frank L. Strange |
| A. L. Hamilton | R. L. McFerron | J. Mack Thompson |
| A. F. Hanberry | Homer C. McLellen | Dr. D. J. Travis |
| E. C. Hardin | Claude D. Minor | C. B. Truesdell |
| Dr. W. L. Haynes | John T. Murphy | John L. Trumbo |
| D. J. Howard | Estill W. Neel | J. Wood Vance |
| Robt. Humphreys | Chas. A. Nelson | Fred C. VanHoose |
| R. O. Huntsman | T. P. Oliver | Daniel Vose |
| J. W. Johnson | B. F. Reynolds | A. M. Wash |
| Henry Kaufman | Sherman Robbins | J. S. Webb |
| Frank Kennard | Lee Rogers | Gladstone Wesley |
| W. L. Kimbrough | B. A. Roth | W. N. Winn |

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Resolved, that the title thereof be as aforesaid.

Mr. Beckham moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 193. An act to amend and re-enact subsection five of section 493 of the Civil Code of Practice, relating to re-investment of the proceeds arising from the sale of real estate and the execution of the bond therefor.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That subsection five of section 493 of the Civil Code of Practice be, and the same is, hereby amended by adding at the end thereof the following:

"But if the reinvestment is made in personal property, the commissioner shall retain the custody and control of said property subject to the order of the court."

So that said section when amended will read as follows:

"In the case mentioned in section 491, the court ordering the sale, shall, by its commissioner, retain the custody and control of the fund realized by the sale until the same is reinvested in real estate, or in such other property as the funds of persons under disability may be invested by authority of law, and the court shall order the money to be paid by its commissioner, directly to the person from whom the purchase for reinvestment is made and to no other person, and in which case no bond shall be required, but if the reinvestment is made in personal property the commissioner shall retain the custody and control of said property subject to the order of the court."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | Lee Rogers |
| Sidney Alfrey | Robt. Humphreys | B. A. Roth |
| L. H. Ballard | J. W. Johnson | Chas. R. Scott |
| H. H. Barnes | Henry Kaufman | W. P. Scott |
| W. T. Beckham | Frank Kennard | Dr. B. F. Shields |
| J. M. Billiter | W. L. Kimbrough | S. G. Smith |
| W. M. Boling | J. M. Knott | H. A. Spillman |
| Rodney G. Bryson | Dr. S. D. Laughlin | Wm. A. Stewart |
| Roy J. Cain | Hebron Lawrence | John T. E. Stites |
| W. T. Carner | Joseph Lazarus | Frank L. Strange |
| J. F. Carr | Rev. J. A. Lee | J. Mack Thompson |
| T. L. Caudel | Elmer Lusby | Dr. D. J. Travis |
| Charles M. Ciarlo | R. C. Marcum | C. B. Truesdell |
| B. L. Cox | A. J. McCandless | John L. Trumbo |
| P. A. Day | Claude D. Minor | Fred C. VanHoose |
| J. B. Denues | John T. Murphy | Daniel Vose |
| H. C. Duffy | Estill W. Neel | A. M. Wash |
| Dr. T. H. Gamblin | Chas. A. Nelson | J. S. Webb |
| J. W. Geveden | T. P. Oliver | Gladstone Wesley |
| Dr. W. L. Gossett | T. C. Pryse | V. M. Williamson |
| A. L. Hamilton | B. F. Reynolds | W. N. Winn |
| E. C. Hardin | Sherman Robbins | —65 |

Resolved, that the title thereof be as aforesaid.

Mr. Beckham moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 58. An act to amend an act entitled, "An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane

persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inculsive, of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act," which was approved March 26, 1918.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 15 of an act entitled, "An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inclusive, of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act," which was approved March 26, 1918, which reads as follows, to wit:

"Sec. 15. Jurisdiction—Trial by Jury.—The circuit courts of the several counties of this state shall have exclusive jurisdiction in all cases coming within the terms and provisions of this act. When no circuit court is in session in the county, inquests of insane persons may be held by a judge of a circuit court, or by the presiding judge of the county court, but in no case shall an inquest upon an idiot be held except in the circuit court. In proceeding under this act the person alleged to be feeble-minded, epileptic or insane and appearing before the court, or any person interested in such person,

shall have the right to demand for such alleged feeble-minded, epileptic or insane person a trial by jury, which shall be granted as in other cases, unless waived; or the court, on its own motion, may call a jury to try such case. The court, in its discretion, may conduct the trial or inquest in chambers," be, and the same is, now amended to read as follows, to wit: The county courts of the various counties shall have original jurisdiction of all matters coming within the terms and provisions of this act. Inquests may be tried by the judge without the intervention of a jury, but the person to be tried, or a next friend for such person, shall have the right to demand and have a jury empanelled in such case.

§ 2. That wherever in said act a step or proceeding is directed to be taken in a circuit court it shall hereafter be taken in the county court.

Mr. Lazarus offered the following amendment:

That the provisions of this act shall not apply to the county court in counties containing cities of the first class.

Mr. Huntsman moved that said amendment lie on the table.

Said motion was disagreed to.

Then said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Geveden | W. P. Scott |
| L. H. Ballard | Dr. W. L. Gossett | Dr. B. F. Shields |
| H. H. Barnes | A. L. Hamilton | S. G. Smith |
| W. T. Beckham | E. C. Hardin | H. A. Spillman |
| J. M. Billiter | D. J. Howard | John T. E. Stites |
| W. M. Boling | J. W. Johnson | Frank L. Strange |
| Rodney G. Bryson | W. L. Kimbrough | J. Mack Thompson |
| Roy J. Cain | Dr. S. D. Laughlin | Dr. D. J. Travis |
| W. T. Carner | R. C. Marcum | C. B. Truesdell |
| J. F. Carr | I. S. Mason | Fred C. VanHoose |
| T. L. Caudel | A. J. McCandless | Daniel Vose |
| Charles M. Ciarlo | Mack J. Morgan | Geo. C. Waggoner |
| B. L. Cox | John T. Murphy | A. M. Wash |
| P. A. Day | Chas. A. Nelson | J. S. Webb |
| H. N. Dean | T. P. Oliver | Gladstone Wesley |
| J. B. Denues | B. F. Reynolds | W. N. Winn |
| H. C. Duffy | Dr. Lewis Ryans | |
| Dr. T. H. Gamblin | Chas. R. Scott | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Robt. Humphreys | Joseph Lazarus | Lee Rogers |
| R. O. Huntsman | Elmer Lusby | B. A. Roth |
| Henry Kaufman | Claude D. Minor | R. Lee Stewart |
| Frank Kennard | Estill W. Neel | Wm. A. Stewart |
| J. M. Knott | T. C. Pryse | J. H. Thompson |
| Hebron Lawrence | Sherman Robbins | V. M. Williamson |

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Resolved, that the title thereof be as aforesaid.

Mr. Ciarlo moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Murphy moved that the standing committees be called for reports.

Said motion was agreed to.

Upon a call of the standing committees the following measures were reported:

By Mr. Beckham, of the Committee on Constitutional Amendments:

H. Res. 16. An act to amend section 145 of the Constitution.

With the expression of opinion that same ought to pass.

Mr. Lazarus moved to recommit said resolution to the Committee on Constitutional Amendments.

On a division, said motion was lost—yeas, 26; nays, 37.

Said resolution was then read at length the first time and ordered to be placed in the calendar.

By same:

H. Res. 14. Resolution of the House of Representatives of the General Assembly of Kentucky, providing for the submission to the voters of the state an amendment to the Constitution; providing that all proposed amendments to the Constitution of the United States shall be submitted to the vote of the people by the Secretary of State before being acted upon by the Legislature of the state.

With the expression of opinion that same ought to pass.

Mr. Lazarus moved to recommit said resolution to the Committee on Constitutional Amendments.

On a division said motion was lost—yeas, 26; nays, 35.

Said resolution was then read at length the first time and ordered to be placed in the calendar.

By same:

H. B. 184. An act for taking the sense of the people of this state as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution and the amendments thereto.

Without an expression of opinion.

Mr. Murphy moved that said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding.

Said motion was agreed to.

Then the said bill was read the first time at length and ordered to be placed in the calendar

By Mr. Trumbo, of the Committee on Insurance, Life and Accident.

H. B. 285. An act to repeal section 659 of the Kentucky Statutes relating to life insurance, and to substitute in lieu thereof other provisions concerning insurance written on the lives of persons of this Commonwealth.

With the expression of opinion that same ought to pass.

By same:

H. B. 283. An act designating the kind and character of investments which may be made by insurance corporations with its capital, accumulations and funds, and providing for

the change and reinvestment of same from time to time, and limiting the amount thereof that may, by the said corporations be invested in certain classes of securities, and repealing section 625 of chapter 32 of the Kentucky Statutes.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

By Mr. R. L. Stewart, of the Committee on Criminal Law:

H. B. 259. An act to amend section 1246, Kentucky Statutes.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 139. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

With the expression of opinion that same ought to pass.

By same:

H. B. 306. An act to change the time of holding circuit court in the First Judicial District of Kentucky.

With the expression of opinion that same ought to pass.

By Mr. Mason, of the Committee on Military Affairs:

H. B. 302. An act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications,

assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

With the expression of opinion that same ought to pass.

By same:

H. B. 300. An act to amend and re-enact section 128, chapter 43, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, "An act entitled, 'An act to provide for the organization, armament, equipment, discipline and government of the militia.' "

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 183. An act to authorize and regulate the practice of chiropractic, to provide for the licensing and examination of chiropractors, to create a State Board of Examination and Registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice chiropractic, to provide a penalty for practicing chiropractic without a license as provided by this act, and to repeal all acts and parts of acts in conflict herewith.

With the expression of opinion that same ought not to pass.

A minority of the same committee reported that said bill ought to pass.

Said minority report was signed by Messrs. Bryson and Adams.

Mr. Bryson moved to substitute the minority report for the majority report.

Dr. Gossett moved to recommit the bill to the Committee on Kentucky Statutes.

Said motion was disagreed to.

Upon a division on Mr. Bryson's motion to substitute the minority report said motion was lost—yeas, 17; nays, 26.

Then the report of the majority of the committee was adopted.

The bill was refused its first reading.

Mr. Lazarus moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was adopted.

Dr. Ryans moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:10 p. m., adjourned.

TUESDAY, FEBRUARY 10, 1920.

The House was called to order by the Speaker at 10:00 a. m.

The House was opened with prayer by the Rev. S. S. Daughtry, pastor of the Presbyterian church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

| | | |
|---|---|---|
| Eon Adams | Talbert Holliday | T. P. Oliver |
| Sidney Alfrey | D. J. Howard | B. F. Reynolds |
| L. H. Ballard | Adam W. Huff | J. L. Richardson |
| J. M. Billiter | Robt. Humphreys | Sherman Robbins |
| W. M. Boling | J. W. Johnson | Lee Rogers |
| Jo F. Bosworth | Henry Kaufman | B. A. Roth |
| Rodney G. Bryson | Frank Kennard | Dr. Lewis Ryans |
| Roy J. Cain | W. L. Kimbrough | Chas. R. Scott |
| W. T. Carner | J. M. Knott | W. P. Scott |
| J. F. Carr | Dr. S. D. Laughlin | Dr. B. F. Shields |
| T. L. Caudel | Hebron Lawrence | S. G. Smith |
| Charles M. Ciarlo | Joseph Lazarus | H. A. Spillman |
| P. A. Day | Rev. J. A. Lee | R. Lee Stewart |
| H. N. Dean | Elmer Lusby | Wm. A. Stewart |
| J. B. Denues | R. C. Marcum | John T. E. Stites |
| H. C. Duffy | I. S. Mason | Frank L. Strange |
| Dr. T. H. Gamblin | A. J. McCandless | John W. Swope |
| B. J. Goehringer | R. L. McFerron | John B. Thomas |
| J. W. Geveden | Homer C. McLellen | J. Mack Thompson |
| Dr. W. L. Gossett | Claude D. Minor | Dr. D. J. Travis |
| A. L. Hamilton | Mack J. Morgar | C. B. Truesdell |
| A. F. Hanberry | John T. Murphy | John L. Trumbo |
| E. C. Hardin | Estill W. Neel | Fred C. VanHoose |
| Dr. W. L. Haynes | Chas. A. Nelson | Daniel Vose |

| | | | |
|---|---|---|---|
| Geo. C. Waggoner | Dr. T. R. Welch | W. N. Winn | |
| A. M. Wash | Gladstone Wesley | | |
| J. S. Webb | W. G. Wheeler | | —79 |

On motion of Mr. Roth the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Upon a call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed and referred to committees indicated, viz.:

By Mr. Minor:

H. B. 397. An act requiring county superintendents of each county to publish in a county paper published in the county the settlements made with the county judges as provided by section 4409, Kentucky Statutes (Carroll's edition), which publication must contain a statement of all money received from every source, for what paid, to whom paid, and what amounts remain in their hands.

To Committee on Printing.

By Mr. Murphy:

H. B. 398. An act to repeal and re-enact section 4239-A, Kentucky Statutes, relating to the duties of clerks, sheriffs and other officers under the revenue and taxation laws, and to direct the manner of making up tax books.

To Committee on Revenue and Taxation.

By Mr. Geveden:

H. B. 399. An act to amend and re-enact section 4464, Kentucky Statutes, Carroll's edition, 1918, relating to districts—boundary, election to establish, dissolution of district.

To Committee on Education No. 1.

By Mr. Hardin:

H. B. 400. An act to provide for the condemnation of land by electric light and power companies.

To Committee on Railroads.

By Mr. Cain:

H. B. 401. An act relating to the maintenance or occupancy of any place, structure or conveyance for the purpose of prostitution, to receiving, agreeing to receive, permitting to remain, transporting, procuring or soliciting any person for such purpose, to residence in, entrance to or remaining in any structure or conveyance for such purpose, or to engaging in, aiding or abetting prostitution, lewdness or assignation by any means whatsoever; and defining the terms prostitution, lewdness and assignation, admissible evidence, to triable courts, and prescribing penalties, probation and parole.

To Committee on Criminal Law.

By Mr. Roth:

H. B. 402. An act to amend and re-enact sections three and four of the act approved March 18th, 1912 (chapter 122, page 428, Acts of 1912), entitled, "An act to repeal sections 16, 17, 18, 19, 20, 21 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an act entitled, 'An act to amend an act for the government of cities of the first class, approved July 1st, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management

and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class," said sections three and four of said act being subsections 17 and 18 of section 2896-a of the Kentucky Statutes, Carroll's edition of 1915.

To Committee on Municipalities.

By Mr. Roth:

H. B. 403. An act to amend and re-enact sections three and four of the act approved March 18th, 1912 (chapter 112, page 372, Acts of 1912) entitled, "An act to repeal 'An act providing for the creation, control and disposition of a fund to be used in pensioning, under certain conditions, policemen and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class," said sections three and four of said act being subsections three and four of section 2872-a, Kentucky Statutes, Carroll's edition of 1915.

To Committee on Municipalities.

By Mr. Day:

H. B. 404. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

To Committee on Agriculture.

By Mr. Ciarlo:

H. B. 405. An act to amend and re-enact section 513 of the Kentucky Statutes, relating to indexing of conveyances.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 406. An act to amend section 2944 of the Kentucky Statutes, relating to increase in salaries of deputy bailiffs of city court of Louisville, Kentucky.

To Committee on Municipalities.

By Mr. McLellen:

H. B. 407. An act to amend and re-enact section 2931 of the Kentucky Statutes, relating to salary of deputy clerks of city courts in cities of the first class.

To Committee on Municipalities.

By Mr. McLellen:

H. B. 408. An act providing for a State Tuberculosis Sanitarium, making appropriations therefor, providing for state ownership of lands acquired and providing regulations for the control of such institution and for the prevention and relief of tuberculosis.

To Committee on Tuberculosis.

By Mr. McLellen:

H. B. 409. An act providing that no marriage license shall be issued until ten days' notice that application will be

made therefor, and until the presentation of a health certificate certifying to the physical and mental fitness of the contracting parties.

To Committee on Codes of Practice.

By Mr. Biliter:

H. B. 410. An act to amend an act of June 23, 1893, and which act was itself amended by an act of March, 1904, and especially amending section 4348 of Kentucky Statutes, entitled "Passways."

To Committee on Public Roads and Highways.

By Mr. Mason:

H. B. 411. An act repealing subsection 2 of section 4469a, Kentucky Statutes, Carroll's edition, 1915, and enacting in lieu thereof a new subsection.

To Committee on Education No. 2.

By Mr. Bryson:

H. B. 412. An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this state, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest. and providing of penalty for violation of this act.

To Committee on Kentucky Statutes

By Mr. Gossett:

H. B. 413. An act to authorize the practice of chiropractic, to provide for the licensing and examination of chiropractors. to create a board of examination and registration, to provide for the appointment and establish rules and regulations governing same, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice chiropractic, to provide a penalty for practising chiropractic without a license as provided by this act, and to repeal all acts and parts of acts in conflict herewith.

To Committee on Public Health

By Mr. Webb:

H. B. 414. An act repealing section 1 of chapter 108a, enacted March, 1906, page 352, and which is section 4281u of the second volume of Kentucky Statutes, Carroll, 1915, and in lieu thereof re-enact an amended section, enacted by the House and Senate of the Kentucky Legislature, and all of that part of section 4281u of Carroll's Statutes, compiled 1915, which is section 1 of chapter 108a of the Acts of 1906, to be repealed and in lieu thereof.

To Committee on Revenue and Taxation.

By Mr. Smith:

H. B. 415. An act relating to revenue and taxation, requiring an excise or license tax to be paid on all gasoline or any substitute therefor sold at retail in this state and requiring any person engaging in business of selling gasoline or any substitute therefor at retail to pay said tax for the privilege of engaging in said business; providing the manner of collecting said tax, requiring reports and fixing fines and penalties for violations of the act.

To Committee on Public Roads and Highways.

By Mr. Smith:

H. B. 416. An act to amend and re-enact section 2739g-2, Kentucky Statutes, volume 3, edition 1915, which was originally section 2 of chapter 69, Acts 1914, and which was amended by chapter 27, Acts 1918, relating to the registration of and license on motor vehicles.

To Committee on Public Roads and Highways.

By Mr. Alfrey:

H. B. 417. An act for the removal from office of officers guilty of misfeasance or nonfeasance in office and prescribing the method of procedure.

To Committee on Kentucky Statutes.

By Mr. Barnes:

H. B. 418. An act to amend, revise and re-enact sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of subdivision 8 of chapter 89 thereof.

To Committee on Municipalities.

Mr. Smith moved that the printed bill be substituted for the original of House Bill 4, which was misplaced.

Said motion was adopted.

It was so ordered.

Mr. Smith moved to make House Bill No. 60 a special order for tomorrow, February 12th, at 10:30 a. m.

Said motion was agreed to.

Upon a call of the standing committees the following bills were reported, viz.:

By Mr. Roth, of the Committee on Municipalities:

H. B. 289. An act providing for the working of prisoners in cities of the first class committed under order or judgment of the police court to the city workhouse, or the county jail, or other penal institutions.

With the expression of opinion that same ought to pass.

By same:

H. B. 286. An act to amend and re-enact section 2768, Carroll's Kentucky Statutes, edition of 1915, being section 6 of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893.

With the expression of opinion that same ought to pass.

By Mr. Cooper, of the Committee on Public Offices:

H. B. 4. An act relating to and increasing the pay or compensation of grand and petit jurors in the circuit courts of this state, and also the jury commissioners in and for said county, and repealing any act or acts in conflict with this act.

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Offices:

H. B. 305. An act to provide further and additional qualifications for grand and petit jurors in the courts of Kentucky.

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Roads and Highways:

H. B. 19. An act entitled an act to amend an act entitled, "An act relating to roads and passways," approved March 23, 1914, being section 4325 of Kentucky Statutes, Carroll's edition, volume 3, 1918.

With the expression of opinion that same ought to pass.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 314. An act requiring all warehouse companies and persons, firms and corporations furnishing storage for personal property to make a report to the county tax commissioner giving information for assessment purposes and providing how such reports shall be prepared and furnished, and how and by whom the taxes based upon such reports shall be paid, and fixing penalties.

With the expression of opinion that same ought to pass.

By same:

H. B. 272. An act requiring the State Tax Commission to assess all property belonging to telephone, telegraph, express, turnpike or pipe line companies, both tangible and intangible, and providing for reports and the apportionment of the assessment among the jurisdictions entitled to collect taxes thereon.

With the expression of opniion that same ought to pass.

By same:

H. B. 294. An act relating to the collection of inheritance tax, requiring certain reports of county court clerks and

imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

With the expression of opinion that same ought to pass.

By same:

H. B. 280. An act making it the duty of the State Tax Commission to direct the institution of prosecutions, to collect penalties for the failure of any taxpayer to make reports to the State Tax Commission for purposes of taxation.

With the expression of opinion that same ought to pass.

By same:

H. B. 277. An act relating to the assessment of omitted intangible property with the county clerk and also the assessment of other property with the county clerk where such property has not been assessed by the county tax commissioner and prescribing his duties and methods of procedure.

With the expression of opinion that same ought to pass.

By same:

H. B. 308. An act requiring the State Tax Commission to prescribe forms to be used by the county clerk in making reports to the Auditor of exonerations.

With the expression of opinion that same ought to pass.

By same:

H. B. 98. An act entitled an act to amend an act approved March 20th, 1914, chapter 69, session 1914, Carroll Statutes, section No. 2739, subsection 2, to regulate license and govern use of motor vehicles and provide penalty for a violation thereof.

With the expression of opinion that same ought to pass with an amendment.

By Mr. Vose, of the Committee on Corporate Institutions:

H. B. 321. An act to amend section 561, Kentucky Statutes relating to termination of existence of corporations.

With the expression of opinion that same ought to pass.

By same:

H. B. 320. An act to amend Section 571, Kentucky Statutes, Carroll's edition, 1915, relative to filing statements by corporations showing places of business and naming authorized agent or agents upon whom process may be served.

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Offices:

H. B. 258. An act relating to children who are now or hereafter may become dependent, neglected or delinquent in counties containing cities of the first class in the Commonwealth of Kentucky, and providing for the selection and appointment of commissioners, referees and probation officers in such counties and prescribing their terms of office, their duties and remuneration.

With the expression of opinion that said bill ought to pass with an amendment by way of substitute.

By Mr. Kaufman, of the Committee on Juvenile Courts and Children's Home:

H. B. 173. An act pertaining to the adoption of children and the powers of societies and institutions engaged in child

welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others.

With the expression of opinion that same ought to pass with an amendment.

By same:

H. B. 384. An act to amend the first paragraph of section 331a-4, Kentucky Statutes, Carroll's edition, 1918, relating to the granting of certificates for the employment of children.

With the expression of opinion that same ought to pass.

By Mr. Bryson, of the Committee on Codes of Practice:

H. B. 336. An act to amend and re-enact section 21 of chapter 1 of title 3 of the Kentucky Code of Civil and Criminal Practice.

With the expression of opinion that same ought to pass.

By same:

H. B. 325. An act to repeal, amend and re-enact subsection 5 of section 1403, Carroll's edition, 1915, Kentucky Statutes, relating to descent and distribution of personal property.

With the expression of opinion that same ought to pass.

By Mr. VanHoose, of the Committee on Retrenchment and Reform:

H. B. 110. A bill to provide for the payment of pensions to aged people subject to the provisions of this act.

With the expression of opinion that a resolution accompanying said bill be passed as a substitute.

Said bill, as amended by substitute, was given its first reading and placed in the calendar.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Mr. Smith, of the Committee on Public Offices:

H. B. 105. An act to provide for the registration of architects, engineers and surveyors; to regulate the practice of architecture, engineering and surveying as professions and establish their relation to public works and the surveying and platting of land; to provide for a board of examiners of architects, engineers and surveyors.

With the expression of opinion that same ought not to pass.

Mr. Vose moved that said bill be refused its first reading.

Said motion was agreed to.

Mr. VanHoose moved that the vote by which said bill was refused its first reading be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By Mr. Smith, of the Committee on Public Roads and Highways:

H. B. 64. An act to encourage the building of state and Federal aid intercounty seat roads.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Mr. Wash moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was agreed to.

By Mr. Smith, of the Committee on Public Roads and Highways:

H. B. 127. An act creating a state highway commission, providing for the appointment of the members of the state highway commission, for the appointment of a director and employees of the state highway commission, providing for the division of the work of the commission, for the establishment of a system of state highways, for the construction, maintenance, repair and control of public highways, for the creation of a state highway fund, providing for the violation of the provisions of said act, providing for cooperation with the Federal government in the construction of rural post roads, repealing an act entitled, "An act to create and establish a department of public roads, and creating the office of State Commissioner of Public Roads, and prescribing the duties and compensation therefor, and also creating a fund in the treasury of the state to be known as the state road fund, and providing and regulating the disbursement thereof," (approved March 11, 1912), and repealing all other laws and parts of laws in conflict therewith, and declaring an emergency.

With the expression of opinion that same ought not to pass.

Mr. Ciarlo moved that said bill be given its first reading and placed in the calendar, the report of the committee to the contrary notwithstanding.

Said motion was adopted.

Said bill was read the first time and ordered to be placed in the calendar.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 197. An act to amend and re-enact section 5, chapter 11, Acts 1918, relating to assessment of property.

With the expression of opinion that same ought not to pass.

The Chair stated: "Shall the decision of the committee be the decision of the House?"

Said question was decided in the affirmative.

Said bill was refused its first reading.

Mr. Vose moved that the vote by which said bill was refused its first reading be reconsidered and that that motion lie on the table.

Said motion was agreed to.

By same:

H. B. 70. An act to amend and re-enact section 4042a-12, Carroll's 1915 edition, Kentucky Statutes, relating to the tax commissioner's office hours; when commissioner to call upon taxpayer; when assessment books to be made up; taxpayer's oath before person other than commissioner.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the decision of the committee be the decision of the House?"

Said question was decided in the affirmative.

Said bill was refused its first reading.

Mr. Neel moved to reconsider the vote by which said bill was refused its first reading and that that motion lie on the table.

Said motion was agreed to.

By Mr. VanHoose, of the Committee on Retrenchment and Reform:

H. B. 106. An act to pension worthy blind persons.

Without an expression of opinion.

Mr. R. L. Stewart moved that said bill be given its first reading and placed in the calendar, the report of the committee notwithstanding.

Said motion was adopted, and said bill was read the first time at length and ordered to be placed in the calendar.

Mr. Smith asked unanimous consent that the report on House Bill No. 105 be withdrawn.

Mr. VanHoose objected.

Mr. Vance asked for unanimous consent to take up for consideration Senate Resolution No 11 and that Senator Miller be allowed the privilege of the floor to explain same.

Said consent was granted.

Then the House took up for consideration Senate Resolution No. 11, a resolution authorizing J. B. White to sue the Commonwealth of Kentucky to set aside a sheriff's sale for taxes of land situated in Wolfe county claimed to have been wrongfully sold for taxes and purchased by the Commonwealth."

Said resolution reads as follows:

A resolution authorizing J. B. White to sue the Commonwealth of Kentucky, to set aside a sheriff's sale for taxes of land situated in Wolfe county, claimed to have been wrongfully sold for taxes and purchased by the Commonwealth.

Whereas, the sheriff of Wolfe county advertised and sold a certain boundary of land in Wolfe county, Ky., comprising 1760 acres, for taxes for the year 1919, the property of J. B. White; and,

Whereas, the said J. B White, the owner of said land, claims to have paid all of the taxes owing and due the state of Kentucky and county of Wolfe for said year; and,

Whereas, he claims said advertisement and sale of said land was without the consent and knowledge of the said J. B. White, and that he had no notice of the said sale whatever until the same had been made; now, therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the said J. B. White is hereby authorized and permitted to institute a suit against the Commonwealth of Kentucky in the Wolfe Circuit Court under the style of J. B. White, plaintiff, vs. the Sheriff of Wolfe County and the Commonwealth of Kentucky, defendants, in order that the said court may determine after consideration of the proof as to whether or not said sale for taxes by the said sheriff of Wolfe county was unauthorized, and whether or not the said J. B. White is entitled to have said sale of land set aside.

§ 2. Either party may appeal from the judgment from the Wolfe Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

Mr. Vance moved that the House concur in said resolution.

Said motion was adopted.

Said resolution was concurred in.

Mr. Vance moved that the vote by which said resolution was concurred in be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Resolved, that the title of said resolution be as aforesaid.

Mr. Vance asked for unanimous consent to take up for consideration Senate Resolution No. 12 and that Senator Miller be allowed the privilege of the floor to explain same.

Said consent was granted.

Then the House took up for consideration Senate Resolution No. 12, "A resolution authorizing William Hearn and L. A. Watson to sue the Commonwealth of Kentucky, to set aside the sheriff's sale for taxes of certain oil lease situated in Wolfe county, claimed to have been wrongfully sold for taxes and purchased by the Commonwealth."

Said resolution reads as follows:

A resolution authorizing William Hearn and L. A. Watson to sue the Commonwealth of Kentucky, to set aside the sheriff's sale for taxes of certain oil lease situated in Wolfe county, claimed to have been wrongfully sold for taxes and purchased by the Commonwealth.

Whereas, the sheriff of Wolfe county advertised and sold a certain oil lease on land situated in Wolfe county, Ky., for taxes, comprising 1760 acres, for the year 1919, the property of said William Hearn and L. A. Watson; and,

Whereas, the said William Hearn and L. A. Watson, the owners of said lease, had paid all of the taxes owing and

due the state of Kentucky and county of Wolfe for said year; and,

Whereas, they claim said advertisement and sale of said oil lease was without the consent and knowledge of the said William Hearn and L. A. Watson, and that they claim to have had no notice of said sale whatever until the same had been made; now, therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the said William Hearn and L. A. Watson are hereby authorized and permitted to institute a suit against the Commonwealth of Kentucky in the Wolfe Circuit Court under the style of William Hearn and L. A. Watson, plaintiffs, vs. the Sheriff of Wolfe County and the Commonwealth of Kentucky, defendants, in order that the court may determine after consideration of the proof as to whether or not said sale for taxes by the said sheriff of Wolfe county was unauthorized, and whether or not the said William Hearn and L. A. Watson are entitled to have said sale of said lease set aside

§ 2. Either party may appeal from the judgment from the Wolfe Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

Mr. Vance moved that the House concur in said resolution.

Said motion was adopted.

Said resolution was concurred in.

Mr. Vance moved that the vote by which said resolution was concurred in be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Resolved that the title of said resolution be as aforesaid.

A message was received from the Senate announcing that the Senate had passed Senate Bill No. 24, "An act to amend section 2625 of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll."

Said bill was ordered to be printed and referred to the Committee on Public Health.

Also that the Senate had passed Senate Bill No. 34, "An act to amend and re-enact section 2738q of Carroll's 1915 edition of Kentucky Statutes, and relating to mines and mining."

Said bill was ordered to be printed and referred to the Committee on Mines and Mining.

Mr. McLellen asked unanimous consent to withdraw the report on House Bill No. 105.

Mr. Wash objected.

Mr. Barnes moved to refer House Bill No. 373 to the Committee on Charitable Institutions.

Said motion was agreed to.

Mr. Carr, of the Committee on Alcoholic Liquor Traffic, reported a substitute for House Bill No. 181.

On motion of Mr. McLellen said substitute was ordered to be printed and made a special order for Tuesday, February 17th, at 11 o'clock a. m.

Mr. Wash moved that the House recess until 1:30 p. m. today.

Said motion was agreed to and at 12:20 the House recessed.

AFTERNOON SESSION.

The House reconvened at 1:30 p. m.

The privilege of the floor was extended to ex-Senator Smith and ex-Senator Combs.

The following resolution was offered by Mr. Waggoner, viz.:

Be it resolved that this honorable body express its sincere sympathy to the bereaved family of Hon. Eugene Salin, a former Representative of Owen county, who was buried Saturday at Monterey, Owen county.

Said resolution was adopted.

Mr. Gossett moved that House Bill No. 413, which was referred this morning to the Committee on Public Health, be now referred to the Committee on Judiciary.

Said motion was agreed to.

The Speaker appointed Messrs. Minor, Thompson and Pryse as a committee for the purpose of arranging for the address of Attorney General Palmer.

On motion of Mr. Bryson the session was extended indefinitely today.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 101. An act entitled an act to amend section 125c of the Kentucky Statutes, relating to a stenographer for Commonwealth's attorneys in counties of over 200,000 and providing for an increase in salary thereof.

On motion of Mr. Lazarus it was ordered that the consideration of said bill be deferred and that the bill retain its place in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 175. An act to amend and re-enact sections 4, 5, 7, 11, 13, be amended by repealing and inserting such words that such section as amended and re-enacted shall read as follows.

Mr. Lazarus moved that said bill be recommitted to the Committee on Public Health.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 45. An act authorizing counties of the state of Kentucky containing cities of the second and third class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance and providing for a training school for nurses in connection therewith.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the counties of the Commonwealth of Kentucky containing cities of the second and third class are hereby authorized and empowered through the fiscal courts of said counties, to establish and erect hospitals for the use of its citizens, and for that purpose said court may, for said county, acquire for said purpose by gift, purchase or lease or by condemnation any land or property situated wholly in said county

where same is to be located, or any interest, franchise, easement, right or privilege therein which may be required for purpose of construction, furnishing, maintaining or operating said public county hospital, the method of condemnation of property to be the same as that provided for the condemnation of property for public purposes.

§ 2. In order to provide money for the construction and furnishing of the said county hospital, the fiscal court may enter an order submitting to the voters at the regular November election the question whether bonds of the county shall be issued for the purpose of carrying out the work therein provided. The order shall provide the date and maturity of the bonds, the rate of the interest they shall bear, and total amount to be issued, and the order shall also contain the necessary details in reference to the execution and delivery of the bonds, their denomination, coupons to be annexed, and a sinking fund to retire such bonds at maturity, and the calling of said election shall be regulated by laws applicable to other elections for county bond issues.

§ 3. If the voters of the county shall determine such bonds shall be issued, they shall, when so issued, be placed under the control of the fiscal court of said county, who shall determine when and at what price and how they shall be sold, but said bonds shall not be sold for less than par. When said bonds are sold, their proceeds shall be placed to the credit of the county in the county depositories, and the expenditures of the money in the construction and equipment of said hospital shall be under the supervision and control of the county commissioners in those counties who have adopted the commission form of government, and under the fiscal court's control in those counties not having county commissioners.

§ 4. All contracts for work, supplies and material to be purchased in connection with said hospital construction, equipment and maintenance shall be governed by the laws now existing regarding contracts for public supplies and improvements for counties and be regulated fully thereby.

§ 5. Said county hospital, when erected, shall be at all times under the control of the proper county authorities, and said hospital is authorized to provide for the instruction and training of nurses, and to issue diplomas for such pupils who have completed courses as prescribed by the rules and regulations to be adopted in connection therewith. The fees to be charged patients for attention given and such other fees or charges as may be demanded, shall be fixed, regulated and controlled by the governing authorities of said hospital, and shall be applied to the maintenance fund of said hospital.

§ 6. For the purpose of maintaining said hospital after its erection and equipment and paying the current expenses and necessary repairs and addition thereto, and paying interest on said bonded indebtedness and establishing sinking fund for retirement for said bonds at maturity the fiscal court of the county is directed to levy a tax sufficient and within its constitutional limit and the sum derived from said tax shall be applied to the purposes as in this section provided.

§ 7. This act shall take effect from and after its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Charles M. Ciarlo | B. J. Goehringer |
| J. M. Billiter | B. L. Cox | J. W. Geveden |
| Roy J. Cain | P. A. Day | A. F. Hanberry |
| W. T. Carner | J. B. Denues | E. C. Hardin |
| T. L. Caudel | Dr. T. H. Gamblin | D. J. Howard |

| | | |
|---|---|---|
| Robt. Humphreys | John T. Murphy | Frank L. Strange |
| R. O. Huntsman | Estill W. Neel | John B. Thomas |
| Henry Kaufman | Chas. A. Nelson | J. Mack Thompson |
| W. L. Kimbrough | T. C. Pryse | J. H. Thompson |
| J. M. Knott | B. F. Reynolds | John L. Trumbo |
| Dr. S. D. Laughlin | Sherman Robbins | J. Wood Vance |
| Hebron Lawrence | Lee Rogers | Fred C. VanHoose |
| Joseph Lazarus | B. A. Roth | Daniel Vose |
| Rev. J. A. Lee | Dr. Lewis Ryans | A. M. Wash |
| Elmer Lusby | Chas. R. Scott | J. S. Webb |
| R. C. Marcum | W. P. Scott | Dr. T. R. Welch |
| I. S. Mason | H. G. Skiles | Gladstone Wesley |
| A. J. McCandless | S. G. Smith | W. G. Wheeler |
| Homer C. McLellen | H. A. Spillman | W. N. Winn |
| Claude D. Minor | R. Lee Stewart | |
| Mack J. Morgan | John T. E. Stites | —61 |

Those who voted in the negative were—

| | | |
|---|---|---|
| L. H. Ballard | J. F. Carr | Frank Kennard |
| W. M. Boling | Talbert Holliday | |
| Rodney G. Bryson | J. W. Johnson | —7 |

Resolved, that the title thereof be as aforesaid.

Mr. Strange moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 147. An act to amend section 2625 of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That section 2625 of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll, be amended and reenacted so as to read as follows:

Section 2625. Any person who is more than twenty-one years of age, of good moral character, possessing such standards of education, both academic and pharmaceutical, and such practical experience as the Kentucky Board of Pharmacy shall from time to time determine, filing written application, properly verified, setting forth his age, residence, education and practical experience as may be required, after passing a satisfactory examination to be conducted in the English language before the Kentucky Board of Pharmacy, under such rules and regulations as the board may determine, shall be entitled to a certificate as a registered pharmacist upon the payment of a fee to the secretary of the board of not less than ten dollars nor more than twenty-five dollars as said board shall from time to time fix. Any person eighteen years of age of good moral character, possessing such standards of education, both academic and pharmaceutical, and such practical experience as the Kentucky Board of Pharmacy shall from time to time determine, filing written application, properly verified, setting forth his age, residence, education and practical experience as may be required, after passing a satisfactory examination to be conducted in the English language before the Kentucky Board of Pharmacy, under such rules and regulations as the board may determine, shall be entitled to a certificate as a registered assistant pharmacist upon the payment of a fee to the secretary of the board of not less than five dollars nor more than ten dollars as said board shall from time to time fix. Registered assistant pharmacists may have charge of a drug store during the temporary ab-

sence of the registered pharmacist, but such absence shall not be for a period longer than thirty days in a calendar year. Whenever such absence is for a period of twenty-four consecutive hours or longer the proprietor, owner, manager or person in charge of said drug store or pharmacy shall immediately notify the secretary of the Kentucky Board of Pharmacy the number of days his store will be in charge of a registered assistant pharmacist. This provision shall not be employed as a subterfuge or trick to defeat the law requiring all drug stores or pharmacies to be in charge of a registered pharmacist; all drug stores or pharmacies must be in charge of a registered pharmacist, who shall devote all of his time to said drug store or pharmacy in good faith except for the thirty days in each year allowed herein. Any proprietor, owner, manager or person in charge of a drug store or pharmacy, who shall fail to comply with the above provision shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty nor more than one hundred dollars for each offense. Any person filing a false application of any of the facts required herein shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty dollars nor more than one hundred dollars and shall have his certificate of registration revoked. Any registered pharmacist or registered assistant pharmacist who shall be convicted of a felony or who is proven to be an addict to habit forming drugs, or who is an habitual drunkard, shall forfeit his certificate to practice pharmacy. All certificates hereafter issued shall have plainly written, printed or stamped upon the face thereof the words "revocable for the causes specified by law," and "awarded upon examination."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those voting in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | R. O. Huntsman | Dr. Lewis Ryans |
| Sidney Alfrey | J. W. Johnson | Chas. R. Scott |
| L. H. Ballard | Henry Kaufman | W. P. Scott |
| H. H. Barnes | W. L. Kimbrough | Dr. B. F. Shields |
| J. M. Billiter | J. M. Knott | H. G. Skiles |
| Rodney G. Bryson | Dr. S. D. Laughlin | S. G. Smith |
| Roy J. Cain | Hebron Lawrence | H. A. Spillman |
| W. T. Carner | Joseph Lazarus | Wm. A. Stewart |
| J. F. Carr | Elmer Lusby | John T. E. Stites |
| T. L. Caudel | R. C. Marcum | Frank L. Strange |
| Charles M. Ciarlo | I. S. Mason | John B. Thomas |
| B. L. Cox | A. J. McCandless | J. Mack Thompson |
| P. A. Day | R. L. McFerron | J. H. Thompson |
| H. N. Dean | Claude D. Minor | Dr. D. J. Travis |
| J. B. Denues | Mack J. Morgan | John L. Trumbo |
| B. J. Goehringer | Estill W. Neel | J. Wood Vance |
| J. W. Geveden | Chas. A. Nelson | Fred C. VanHoose |
| A. L. Hamilton | T. P. Oliver | Daniel Vose |
| A. F. Hanberry | T. C. Pryse | Geo. C. Waggoner |
| E. C. Hardin | B. F. Reynolds | A. M. Wash |
| Dr. W. L. Haynes | J. L. Richardson | J. S. Webb |
| Talbert Holliday | Sherman Robbins | Dr. T. R. Welch |
| D. J. Howard | Lee Rogers | Gladstone Wesley |
| Robt. Humphreys | B. A. Roth | W. N. Winn |

—72

Voting in the negaitve—

W. M. Boling —1

Resolved, that the title thereof be as aforesaid.

Mr. Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 149. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to "Public printing, binding and stationery," which is now section 3956, Kentucky Statutes, 1915.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 3956, chapter 105, Kentucky Statutes, 1909 edition, be, and the same is, hereby repealed, and that the following be enacted in lieu thereof, in words and figures as follows, to wit:

Section 3956. The printing and binding for the state shall be divided into three classes, to be let in separate contracts, as follows: The printing of all bills for the two Houses of the General Assembly, together with such resolutions and other matters as may be ordered by the two Houses or either of them, to be printed in bill form, and the printing and binding of the journals of the two Houses, together with such reports, communications and other documents as enter into and make a part of the journals, the printing and binding of the volumes of the public documents, and of the general and local laws and joint resolutions; and printing and binding of all reports, documents and other matters, bound in either book or pamphlet form, except such as shall enter into or be bound with the journals of the two Houses, and all printing for the department of public instruction, and all miscel-

laneous printing and binding necessary for the several departments, and not otherwise provided for in this law, shall constitute the first class and be let in one contract. The lithographic printing and engraving shall constitute the second class, and be let in one contract; and the furnishing of all printing paper, stationery and such other supplies for the use of the state as are provided for in this law shall constitute the third class, and be let in one contract. The manufacture and furnishing of all blank books used by counties which are to be paid for partly out of the state treasury, shall be let on contracts made by the county and circuit clerks. Nothing in this act shall be construed to repeal section 388, Kentucky Statutes, 1909-1915, nor to annul, change, or alter any existing contracts for such books. Provided, however, that nothing herein contained shall be construed so as to prevent the same person from becoming the contractor for two or more classes of the printing and binding, if he be the lowest and best bidder therefor; but the contract for furnishing of paper, stationery and supplies for the printing and binding specified in the first class, shall be separate and independent from any of the other classes, and shall be let in one contract.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | H. H. Barnes | Rodney G. Bryson |
| Sidney Alfrey | J. M. Billiter | Roy J. Cain |
| L. H. Ballard | W. M. Boling | W. T. Carner |

| | | |
|---|---|---|
| J. F. Carr | Dr. S. D. Laughlin | W. P. Scott |
| T. L. Caudel | Hebron Lawrence | Dr. B. F. Shields |
| Charles M. Ciarlo | Joseph Lazarus | H. G. Skiles |
| B. L. Cox | Rev. J. A. Lee | S. G. Smith |
| P. A. Day | Elmer Lusby | H. A. Spillman |
| H. N. Dean | R. C. Marcum | R. Lee Stewart |
| J. B. Denues | I. S. Mason | John T. E. Stites |
| B. J. Goehringer | A. J. McCandless | Frank L. Strange |
| J. W. Geveden | R. L. McFerror | J. Mack Thompson |
| Dr. W. L. Gossett | Homer C. McLellen | J. H. Thompson |
| A. L. Hamilton | Claude D. Minor | John L. Trumbc |
| A. F. Hanberry | John T. Murphy | J. Wood Vance |
| E. C. Hardin | Estill W. Neel | Fred C. VanHoose |
| Talbert Holliday | T. P. Oliver | Daniel Vose |
| D. J. Howard | T. C. Pryse | J. S. Webb |
| R. O. Huntsman | Sherman Robbins | Dr. T. R. Welch |
| Henry Kaufman | Lee Rogers | W. G. Wheeler |
| Frank Kennard | B. A. Roth | W. N. Winn |
| W. L. Kimbrough | Dr. Lewis Ryans | |
| J. M. Knott | Chas. R. Scott | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| J. W. Johnson | Chas. A. Nelson | A. M. Wash |

—3

Resolved, that the title thereof be as aforesaid.

Mr. Holliday moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 209. An act relating to revenue and taxation, amending an act of May 2, 1917 entitled, "An act relating to revenue and taxation," which same is section 4019a-5, Kentucky Statutes, 1918.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 1 of an act of May 2, 1917, C. 10, p. 43, entitled, "An act relating to revenue and taxation," be amended by inserting after the word "stock," in said act, the words "all domestic fowls," and that said act be thus amended and re-enacted, and when so amended and re-enacted shall read as follows, to wit:

(1) "That all live stock and all domestic fowls in this state shall be taxed for all local purposes at the same rate fixed by law for the taxation of other property, but shall not be taxed for state purposes at a greater rate than ten cents on each one hundred dollars of assessed value."

Mr. Lawrence offered the following amendment:

Amend House Bill No. 209, section 1, line 3, by inserting after the word "fowls," "except 25 fowls shall be exempt from taxation to each family," and in line 6 insert after the word "fowls," "there shall be exempt from all taxation for each family 25 fowls."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Frank Kennard | W. P. Scott |
| L. H. Ballard | W. L. Kimbrough | Dr. B. F. Shields |
| H. H. Barnes | J. M. Knott | H. G. Skiles |
| W. M. Boling | Dr. S. D. Laughlin | S. G. Smith |
| Rodney G. Bryson | Hebron Lawrence | H. A. Spillman |
| Roy J. Cain | Joseph Lazarus | Wm. A. Stewart |
| W. T. Carner | Rev. J. A. Lee | John T. E. Stites |
| J. F. Carr | Elmer Lusby | Frank L. Strange |
| Charles M. Ciarlo | R. C. Marcum | John B. Thomas |
| B. L. Cox | I. S. Mason | J. Mack Thompson |
| P. A. Day | R. L. McFerron | J. H. Thompson |
| H. N. Dean | Homer C. McLellen | Dr. D. J. Travis |
| H. C. Duffy | Claude D. Minor | John L. Trumbo |
| J. W. Geveden | Mack J. Morgan | J. Wood Vance |
| Dr. W. L. Gossett | John T. Murphy | Fred C. VanHoose |
| A. F. Hanberry | Estill W. Neel | Daniel Vose |
| E. C. Hardin | Chas. A. Nelson | Geo. C. Waggoner |
| Dr. W. L. Haynes | T. C. Pryse | A. M. Wash |
| Talbert Holliday | B. F. Reynolds | J. S. Webb |
| D. J. Howard | J. L. Richardson | Dr. T. R. Welch |
| Robt. Humphreys | Sherman Robbins | Gladstone Wesley |
| R. O. Huntsman | B. A. Roth | W. G. Wheeler |
| J. W. Johnson | Dr. Lewis Ryans | V. M. Williamson |
| Henry Kaufman | Chas. R. Scott | W. N. Winn |

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There voted in the negative—

A. J. McCandless —1

Resolved, that the title thereof be as aforesaid.

Mr. Johnson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 230. An act to amend section 2022 of the Kentucky Statutes (Carroll's 1915 edition), by adding at the end of said section the words, "Provided, however, that if the parents of the minor be living, the court shall summon them to appear and ascertain whether or not the person nominated is a competent person to be guardian for said minor," and re-enact the same.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 2022 of the Kentucky Statutes (Carroll's 1915 edition) be amended by adding at the end of said section the words, "Provided, however, that if the parents of the minor be living, the court shall summon them to appear and ascertain whether or not either of them is a competent person to be guardian for said minor," and re-enacting the same, so that said section, as amended, shall read as follows:

"Section 2022. When Minor May Nominate His Own Guardian. If the minor is fourteen years of age, he may, in the presence of the court, or by writing signed in the presence of the judge, after privy examination, nominate his own guardian; but if the person so nominated is not approved by the court, or if the minor, after summons, fails to nominate a suitable person, or resides out of the state, or if the testamentary guardian fails for three months to qualify, the court may appoint a guardian of its own selection. Provided, however, that if the parents of the minor or either of them be living, the court shall summon them to appear and ascertain whether or not the person nominated is a competent person to be guardian for said minor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Frank Kennard | Dr. B. F. Shields |
| Sidney Alfrey | W. L. Kimbrough | H. G. Skiles |
| H. H. Barnes | Dr. S. D. Laughlin | S. G. Smith |
| J. M. Billiter | Hebron Lawrence | R. Lee Stewart |
| W. M. Boling | Elmer Lusby | Wm. A. Stewart |
| Roy J. Cain | R. C. Marcum | John T. E. Stites |
| W. T. Carner | I. S. Mason | Frank L. Strange |
| J. F. Carr | A. J. McCandless | John B. Thomas |
| T. L. Caudel | R. L. McFerron | J. Mack Thompson |
| B. L. Cox | Homer C. McLellen | J. H. Thompson |
| P. A. Day | Claude D. Minor | Dr. D. J. Travis |
| H. N. Dean | Estill W. Neel | C. B. Truesdell |
| J. B. Denues | Chas. A. Nelson | John L. Trumbo |
| B. J. Goehringer | T. P. Oliver | J. Wood Vance |
| J. W. Geveden | B. F. Reynolds | Daniel Vose |
| Dr. W. L. Gossett | J. L. Richardson | Geo. C. Waggoner |
| A. F. Hanberry | Sherman Robbins | J. S. Webb |
| E. C. Hardin | Lee Rogers | Dr. T. R. Welch |
| Talbert Holliday | B. A. Roth | Gladstone Wesley |
| D. J. Howard | Dr. Lewis Ryans | W. G. Wheeler |
| J. W. Johnson | Chas. R. Scott | W. N. Winn |
| Henry Kaufman | W. P. Scott | —65 |

Resolved, that the title thereof be as aforesaid.

Mr. McCandless moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 151. An act requiring persons listing property for taxation to show whether the same or any part thereof is located in a graded school district.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That all persons listing their property for taxation shall at the same time state whether the same or any part thereof is located in a graded school district and if so, the name of the district.

The schedules used in listing property for taxation and the assessment rolls shall be so prepared that this information may be recorded thereon by the officer taking the lists and it shall be his duty to do so. The books used by the sheriffs in collecting taxes shall show what part, if any, of each list is subject to the tax levied by the fiscal courts in aid of the common schools.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | W. P. Scott |
| Sidney Alfrey | Robt. Humphreys | Dr. B. F. Shields |
| L. H. Ballard | R. O. Huntsman | H. G. Skiles |
| H. H. Barnes | J. W. Johnson | S. G. Smith |
| J. M. Billiter | Frank Kennard | H. A. Spillman |
| W. M. Boling | Dr. S. D. Laughlin | R. Lee Stewart |
| Roy J. Cain | Hebron Lawrence | Wm. A. Stewart |
| W. T. Carner | Joseph Lazarus | John T. E. Stites |
| T. L. Caudel | Elmer Lusby | Frank L. Strange |
| Charles M. Ciarlo | R. C. Marcum | John B. Thomas |
| B. L. Cox | I. S. Mason | J. H. Thompson |
| P. A. Day | A. J. McCandless | Dr. D. J. Travis |
| H. N. Dean | R. L. McFerron | John L. Trumbo |
| J. B. Denues | Claude D. Minor | J. Wood Vance |
| H. C. Duffy | Estill W. Neel | Daniel Vose |
| Dr. T. H. Gamblin | Chas. A. Nelson | J. S. Webb |
| B. J. Goehringer | T. P. Oliver | Dr. T. R. Welch |
| J. W. Geveden | B. F. Reynolds | Gladstone Wesley |
| Dr. W. L. Gossett | Lee Rogers | W. G. Wheeler |
| A. F. Hanberry | B. A. Roth | V. M. Williamson |
| Talbert Holliday | Chas. R. Scott | W. N. Winn |

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Resolved, that the title thereof be as aforesaid.

Mr. Skiles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 228. An act in relation to 798 shares of stock held by the State Board of Education of the Commonwealth of Kentucky in the National Bank of Kentucky, and authorizing its exchange for stock in the National Bank of Kentucky,

which was consolidated with the National Bank of Commerce and the American Southern National Bank, in the proportion of .6079 shares of new stock in the consolidated bank to each share of stock in the old bank, and a cash bonus on each share of the old stock in addition thereto, and authorizing the Sinking Fund Commissioners to invest the cash received from said exchange in bonds of the United States.

Said bill reads as follows:

Whereas, on July 1, 1862, there was issued to the State Board of Education of the Commonwealth of Kentucky certificate 982, representing 735 shares of the capital stock of the Bank of Kentucky, and on January 21, 1897, there was issued to the said State Board of Education of the Commonwealth of Kentucky certificate 8675, representing 25 shares of stock in the Bank of Kentucky, and on April 3, 1897, there was issued to the State Board of Education of the Commonwealth of Kentucky certificate 8710 for 38 shares of the capital stock of the Bank of Kentucky, making a total of 798 shares of the capital stock of said Bank of Kentucky held and owned by the State Board of Education of the Commonwealth of Kentucky; and,

Whereas, after these certificates were issued the Bank of Kentucky was converted from a State Bank into a National Bank, under the National Banking Act of the United States, under the name of "National Bank of Kentucky;" and,

Whereas, in 1919, the National Bank of Kentucky was consolidated under its charter with the National Bank of Commerce and American Southern National Bank; and,

Whereas, under the terms of the consolidation the State Board of Education of the Commonwealth of Kentucky, for each share of stock it held in the old bank became entitled to .6079 of a share in the consolidated bank, and, in addition thereto, to the sum of $57.50 per share for each share of stock it held in the old bank; and,

Whereas, the State Board of Education of the Commonwealth of Kentucky has never converted its stock in the old bank for stock in the consolidated bank, on the terms herein set out, nor received any part of the bonus above set out or dividends which have been declared by the National Bank of Kentucky since January 1, 1919; now, therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the State Board of Education of the Commonwealth of Kentucky is hereby authorized to surrender the three certificates, to wit, certificate No. 982, certificate No. 8675 and certificate No. 8710, mentioned and referred to in the preamble hereof, for cancellation, and receive therefor a new certificate of stock in the National Bank of Kentucky at the rate of .6079 of a share of new stock for each share of stock so surrendered, said new certificate to be issued to the State Board of Education of the Commonwealth of Kentucky.

§ 2. The said State Board of Education is authorized to receive from the National Bank of Kentucky $57.50 in cash for each share of the old stock surrendered, in addition to the shares of stock in the new corporation, and likewise said State Board of Education of the Commonwealth of Kentucky is authorized to receive all dividends to which it may be entitled by reason of its stock, which have been declared by the National Bank of Kentucky since January 1, 1919.

§ 3. The Sinking Fund Commissioners of the Commonwealth of Kentucky are hereby authorized and directed to invest the cash received as the result of such exchange of stock and the dividends which have accrued on same, as set out in section 2 of this act, in a bond or bonds of the United States, same to be registered in the name of the State Board of Education, and the said stock, when so received, and the said bonds, when so purchased, together with all dividends and interest thereon, shall be held by the State Board of Edu-

cation of the Commonwealth of Kentucky for the purpose of common school education, and for no other purpose.

§ 4. Because the merger of said banks has been effected for many months, and because the State Board of Education has been unable to take advantage of said merger without authority of the General Assembly, and has therefore been deprived of all dividends since said merger, and because the school fund is in need of all of its revenues, an emergency is declared to exist, and this act shall take effect from and after its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | John T. Murphy |
| Sidney Alfrey | D. J. Howard | Estill W. Neel |
| L. H. Ballard | Robt. Humphreys | Chas. A. Nelson |
| J. M. Billiter | J. W. Johnson | T. P. Oliver |
| W. M. Boling | Frank Kennard | B. F. Reynolds |
| W. T. Carner | J. M. Knott | Sherman Robbins |
| J. F. Carr | Dr. S. D. Laughlin | Lee Rogers |
| T. L. Caudel | Hebron Lawrence | Chas. R. Scott |
| B. L. Cox | Joseph Lazarus | W. P. Scott |
| P. A. Day | Rev. J. A. Lee | Dr. B. F. Shields |
| H. N. Dean | Elmer Lusby | H. G. Skiles |
| J. B. Denues | I. S. Mason | S. G. Smith |
| Dr. T. H. Gamblin | A. J. McCandless | H. A. Spillman |
| B. J. Goehringer | R. L. McFerron | Wm. A. Stewart |
| A. F. Hanberry | Claude D. Minor | John T. E. Stites |

| | | |
|---|---|---|
| Frank L. Strange | C. B. Truesdell | J. S. Webb |
| John B. Thomas | Fred C. VanHoose | Dr. T. R. Welch |
| J. Mack Thompson | Daniel Vose | Gladstone Wesley |
| J. H. Thompson | Geo. C. Waggoner | W. G. Wheeler |
| Dr. D. J. Travis | A. M. Wash | —59 |

Resolved, that the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. No. 163. An act to provide for teaching the art of debating in the public and high schools of the Commonwealth and to require teachers to be examined on that subject.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. After July 1, 1920, the subject of the art of debating shall be taught in the public and high schools of this Commonwealth, and open and private exercises encouraging the efficiency of the students in said art shall be adopted and enforced by the teachers from time to time as often as practicable, but such exercises shall be held at least once each week.

§ 2. After July 1, 1919, the State Board of Education, teachers and all school officers shall enforce the teaching of the subject of the art of debating in the same manner that the teaching of other branches of the curriculum are or may be enforced, and proper books on such art shall be provided as are provided on other subjects for said schools.

Mr. Cain offered the following amendment:

Move to amend House Bill No. 163 by striking out the figures 1919 in line one in section 2, and inserting in lieu thereof the figures "1920."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Talbert Holliday | Lee Rogers |
| L. H. Ballard | D. J. Howard | B. A. Roth |
| J. M. Billiter | Robt. Humphreys | Dr. Lewis Ryans |
| W. M. Boling | R. O. Huntsman | Chas. R. Scott |
| Rodney G. Bryson | J. W. Johnson | W. P. Scott |
| Roy J. Cain | Henry Kaufman | Dr. B. F. Shields |
| W. T. Carner | J. M. Knott | H. G. Skiles |
| J. F. Carr | Dr. S. D. Laughlin | S. G. Smith |
| T. L. Caudel | Hebron Lawrence | H. A. Spillman |
| Charles M. Ciarlo | Joseph Lazarus | Wm. A. Stewart |
| B. L. Cox | R. C. Marcum | John T. E. Stites |
| H. N. Dean | I. S. Mason | Frank L. Strange |
| J. B. Denues | R. L. McFerron | John B. Thomas |
| Dr. T. H. Gamblin | Mack J. Morgan | J. Mack Thompson |
| B. J. Goehringer | John T. Murphy | J. H. Thompson |
| Dr. W. L. Gossett | Estill W. Neel | Dr. D. J. Travis |
| A. L. Hamilton | Chas. A. Nelson | C. B. Truesdell |
| A. F. Hanberry | T. P. Oliver | John L. Trumbo |
| E. C. Hardin | B. F. Reynolds | J. Wood Vance |

| | | |
|---|---|---|
| Fred C. VanHoose | A. M. Wash | Gladstone Wesley |
| Daniel Vose | J. S. Webb | W. G. Wheeler |
| Geo. C. Waggoner | Dr. T. R. Welch | W. N. Winn |

—66

Those who voted in the negative were—

| | | |
|---|---|---|
| P. A. Day | Rev. J. A. Lee | Sherman Robbins |
| H. C. Duffy | A. J. McCandless | |
| Frank Kennard | Claude D. Minor | |

—7

Resolved, that the title thereof be as aforesaid.

Mr. Cain moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 150. An act to repeal section 3, chapter 139, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the county board of education and fixing the minimum salary of teachers.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That section 3 of chapter 139, Acts of 1918, be, and the same is, hereby repealed and there is hereby enacted in lieu thereof the following:

Teachers' Salaries.—The salaries of the teachers shall hereafter be paid as provided in section 1 of chapter 139, Acts of 1918; no teacher shall be entitled to receive payment

for services unless all the current records of the school shall have been kept with care and accuracy and unless all reports required by the county superintendent of schools shall have been properly made and submitted.

No teacher regularly employed in public school of the state of Kentucky shall receive a salary of less than seventy-five dollars ($75) per month.

County boards of education upon the advice of the county superintendent shall arrange a salary schedule in which scholarship, professional training and successful teaching experience shall be recognized, but such salary schedule must be sanctioned by the State Superintendent of Public Instruction.

Subsection 2. Section 3 of chapter 139, Acts of 1918, is hereby repealed.

Mr. Lawrence offered the following amendment:

Amend by striking out after the word "than," in line 10, "seventy-five ($75) dollars per month" and insert in lieu thereof "sixty ($60) dollars per month."

Said amendment was disagreed to.

Mr. Vance offered the following amendment:

Amend House Bill No. 150 by striking out the figures "75," in line 10, and insert in lieu thereof "85."

Said amendment was by unanimous consent withdrawn.

Mr. Lee offered the following amendment:

After "month," 11th line, provide the words "attendance at school has been 50 per cent."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Robt. Humphreys | B. A. Roth |
| L. H. Ballard | R. O. Huntsman | Dr. Lewis Ryans |
| H. H. Barnes | J. W. Johnson | Chas. R. Scott |
| J. M. Billiter | Henry Kaufman | W. P. Scott |
| W. M. Boling | Frank Kennard | Dr. B. F. Shields |
| Jo F. Bosworth | W. L. Kimbrough | H. G. Skiles |
| Rodney G. Bryson | J. M. Knott | S. G. Smith |
| Roy J. Cain | Dr. S. D. Laughlin | H. A. Spillman |
| W. T. Carner | Hebron Lawrence | R. Lee Stewart |
| J. F. Carr | Joseph Lazarus | John T. E. Stites |
| T. L. Caudel | Rev. J. A. Lee | John B. Thomas |
| Charles M. Ciarlo | R. C. Marcum | J. Mack Thompson |
| B. L. Cox | I. S. Mason | Dr. D. J. Travis |
| H. N. Dean | A. J. McCandless | C. B. Truesdell |
| J. B. Denues | R. L. McFerron | John L. Trumbo |
| H. C. Duffy | Homer C. McLellen | J. Wood Vance |
| Dr. T. H. Gamblin | Claude D. Minor | Fred C. VanHoose |
| B. J. Goehringer | Mack J. Morgan | Daniel Vose |
| Dr. W. L. Gossett | Estill W. Neel | Geo. C. Waggoner |
| A. F. Hanberry | T. P. Oliver | A. M. Wash |
| E. C. Hardin | T. C. Pryse | J. S. Webb |
| Talbert Holliday | B. F. Reynolds | Gladstone Wesley |
| D. J. Howard | Sherman Robbins | V. M. Williamson |
| Adam W. Huff | Lee Rogers | W. N. Winn |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Chas. A. Nelson | Dr. T. R. Welch |
| P. A. Day | Frank L. Strange | W. G. Wheeler |

—6

Resolved, that the title thereof be as aforesaid.

Mr. Trumbo moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day House Bill No. 185.

Mr. Lazarus moved to make said bill a special order for Wednesday, February 18th, at 11 a. m., and that the substitute for said bill be printed.

Said motion was adopted.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 161. An act to amend and re-enact section 21, chapter 112, and repeal section 24, chapter 112, Acts 1918, relating to dogs and live stock.

H. B. 187. An act to amend section 165, Acts 1918 (section 4482, Kentucky Statutes), relating to levying of tax for graded schools.

H. B. 296. An act to amend section 4535f-1, Kentucky Statutes, Carroll's edition, 1915, and relating to the State Inspectors and Examiners of Schools, and to substitute in lieu thereof the following.

H. B. 297. An act repealing section 4385a and chapter 123 of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employes of the Superintendent of Public Instruction.

H. B. 295. An act to amend and to add to the corporate power of the Sisters of the "Literary Society of St. Catharine," incorporated by the act of December 19, 1839, chapter 28, under the title of the "Literary Institution of St. Magdalen," and which was further amended by the act of March 11, 1858, being chapter 406, changing the name of said institution to the "Literary Society of St. Catharine of Sienna."

H. B. 299. An act to provide physical education and training for all pupils in the common, graded, state normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

H. B. 332. An act to inculcate habits of thrift and industry in public and high schools.

Ordered, that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Ordered, that the substitute for House Bill No. 175 be printed.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 102, 103, 178, 137, 193, 194 and 58.

Dr. Ryans moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 4:15 p. m., adjourned.

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WEDNESDAY, FEBRUARY 11, 1920.

The House was opened with prayer by the Rev. M. S. Clark, Pastor of the Methodist Church, of the City of Frankfort, Kentucky at 10 o'clock a. m.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

| | | |
|---|---|---|
| Lon Adams | Dr. W. L. Gossett | R. C. Marcum |
| Sidney Alfrey | A. L. Hamilton | I. S. Mason |
| L. H. Ballard | A. F. Hanberry | A. J. McCandless |
| H. H. Barnes | E. C. Hardin | R. L. McFerron |
| W. T. Beckham | Dr. W. L. Haynes | Homer C. McLellen |
| J. M. Billiter | Talbert Holliday | Mack J. Morgan |
| W. M. Boling | D. J. Howard | John T. Murphy |
| Jo F. Bosworth | A. R. Hudson | Estill W. Neel |
| Rodney G. Bryson | Adam W. Huff | Chas. A. Nelson |
| Roy J. Cain | Robt. Humphreys | T. P. Oliver |
| W. T. Carner | R. O. Huntsman | S. C. Ray |
| J. F. Carr | J. W. Johnson | B. F. Reynolds |
| T. L. Caudel | Henry Kaufman | J. L. Richardson |
| Charles M. Ciarlo | Frank Kennard | Sherman Robbins |
| P. A. Day | W. L. Kimbrough | Lee Rogers |
| H. N. Dean | J. M. Knott | B. A. Roth |
| J. B. Denues | Dr. S. D. Laughlin | Dr. Lewis Ryans |
| H. C. Duffy | Hebron Lawrence | W. P. Scott |
| Dr. T. H. Gamblin | Joseph Lazarus | Dr. B. F. Shields |
| B. J. Goehringer | Rev. J. A. Lee | H. G. Skiles |
| J. W. Geveden | Elmer Lusby | S. G. Smith |

| | | |
|---|---|---|
| H. A. Spillman | J. H. Thompson | A. M. Wash |
| R. Lee Stewart | Dr. D. J. Travis | J. S. Webb |
| Wm. A. Stewart | C. B. Truesdell | Dr. T. R. Welch |
| John T. E. Stites | John L. Trumbo | Gladstone Wesley |
| Frank L. Strange | J. Wood Vance | W. G. Wheeler |
| John W. Swope | Fred C. VanHoose | W. N. Winn |
| John B. Thomas | Daniel Vose | |
| J. Mack Thompson | Geo. C. Waggoner | —85 |

On motion of Mr. Roth the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Meyers was granted indefinite leave of absence on account of sickness.

Mr. Ray was granted leave of absence until next Tuesday.

The following pair was announced: Mr. Ray, who will be absent, with Mr. Waggoner on all party and administration measures.

Mr. Hudson sent the following telegram to the Clerk's desk and moved that it be spread upon the Journal.

Said motion was agreed to.

The telegram reads as follows, viz.:

Washington, D. C., Feb. 2, 1920.

Hon. Joseph Bosworth,
Speaker House of Representatives,
Frankfort, Ky.

I received a copy of joint resolutions relative to car shortage period. I have received a great many complaints from Eastern Kentucky and have had this car shortage matter up with the Railroad Administration nearly every day for about four weeks and had the matter up with them again to-

day. We have had a number of conferences with coal operators of Eastern Kentucky and the Railroad Administration at Washington. The car shortage has been discussed from every viewpoint and the distress in the coal region has been laid before the Railroad Administration time and again. We have received many promises for relief but they do not materialize in any material degree. The claim is made by the officials here that the coal development greatly exceeds the railroad capacity in Eastern Kentucky and there is a great shortage of motive power on the L. and N. The railroad officials here agreed to take this question up with the L. and N. on their recent visit to Louisville and try to work out a plan of relief and they have also agreed to send ten additional engines to the L. & N. and furnish additional empties from other lines. Express to the members of your body my appreciation of their interest and helpful suggestions and say to them I shall be glad to cooperate in every way possible to bring relief.

J. M. ROBSION.

Mr. Waggoner offered a joint resolution as follows, viz.:

H. Res. 21. Joint resolution providing for adjournment to Monday, February 16th, at one o'clock p. m.

In as much as Thursday, February 12th, is Lincoln's Birthday, and a holiday,

Be it resolved that this House, when it adjourns today, adjourn to meet Monday, February 16th, at 1 o'clock, the Senate concurring herein.

Mr. Waggoner moved that the rules be suspended and that said resolution be immediately considered.

Said motion was agreed to.

Then said resolution was adopted.

Ordered that said resolution be sent to the Senate.

After a while the Chief Clerk reported that he had performed that duty.

Mr. Strange moved that the House adjourn today at 1 o'clock p. m.

Said motion was agreed to.

Mr. Smith moved that House Bill No. 60 be made a special order for Tuesday, February 17th, at 10:30 a. m.

Said motion was agreed to.

The following bills were delivered to the committees to which they had been referred: House Bills Nos. 185, 389, 390, 376, 354, 351, 363, 372, 379, 352, 375, 378, 377, 361, 358, 360, 364, 353, and Senate Bill No. 17.

A message was received from the Senate announcing that it had concurred in House Resolution No. 21 introduced by Mr. Waggoner and adopted by the House today, providing for the adjournment of the two Houses until Monday, February 16th, at one o'clock p. m.

Upon a call of the counties and legislative districts for the introduction of bills, the following bills were introduced, ordered to be printed, and referred to the committees indicated:

By Mr. Nelson:

H. B. 419. An act to repeal and re-enact Section 1112, Kentucky Statutes, relating to change of venue in criminal cases.

To Committee on Agriculture.

By Mr. Hudson:

H. B. 420. An act creating a commission to be hereafter known as the Kentucky Trade Commission, for regulating prices and charges of commodities, foodstuffs and products, articles of merchandise, farm implements and machinery, and burial lots in public cemeteries operated for private gain within the state of Kentucky; prohibiting unjust and unreasonable profit; prohibiting unreasonable and unjust charges for commodities, foodstuffs and products, articles of merchandise, farm implements and machinery, and burial lots in public cemeteries operated for private gain, sold within the state of Kentucky; providing penalties for the violation of the provisions of this act; authorizing such trade commission to appoint such assistants as are necessary thereto and to employ clerks for the purpose of carrying out the provisions of this act; providing penalties for giving or accepting bribes, and for appeals to the District Court, and declaring this act to be an emergency law and a law necessary for the immediate preservation of the public peace and safety."

To Committee on Kentucky Statutes.

By Mr. Vose:

H. B. 421. An act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds, or other securities, and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale

within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

To the Committee on Kentucky Statutes.

By Mr. Kennard:

H. B. 422. An act to amend Section 3 of Chapter 1 of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

To Committee on Railroads.

By Mr. Neel:

H. B. 423. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

To the Committee on Agriculture.

By Mr. VanHoose:

H. B. 424. An act to incorporate the Kentucky State Horticultural Society, to define its powers and duties and appropriate $5,000 for the execution of its purposes.

To Committee on Appropriations.

By Mr. Hanberry:

H. B. 425. An act to amend Section 1 of Chapter 121, Acts of 1918, entitled an act to amend an act, entitled an act to amend an act entitled an act to repeal and re-enact an act

entitled an act granting pensions to indigent and disabled Confederate soldiers, and which is Section 415b-6, Chapter 22b, Carroll's Kentucky Statutes, 1915, Vol. 3.

To Committee on Confederate Homes.

Mr. Ryans moved that the calendar be now read and that the bills in the calendar be read by their titles only.

Said motion was agreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 305. An act to provide further and additional qualifications for grand and petit jurors in the courts of Kentucky.

H. B. 289. An act providing for the working of prisoners in cities of the first class committed under order or judgment of the police court to the city workhouse, or the county jail, or other penal institution.

H. B. 286. An act to amend and re-enact section 2768, Carroll's Kentucky Statutes, edition of 1915, being section 6 of the act entitled, "An act for the government of cities of the first class," approved July 1, 1893.

H. B. 4. An act relating to and increasing the pay or compensation of grand and petit jurors in the circuit courts of this state, and also the jury commissioners in and for said county, and replacing any act or acts in conflict with this act.

H. B. 19. An act entitled, an act, to amend an act, entitled "An act relating to roads and passways," approved March 23, 1914, being section 4325 of Kentucky Statutes, Carroll's Edition, volume 3, 1918.

H. B. 314. An act requiring all warehouse companies and persons, firms, and corporations furnishing storage for personal property to make a report to the county tax commissioner giving information for assessment purposes and providing how such reports shall be prepared and furnished, and how and by whom the taxes based upon such report shall be paid, and fixing penalties.

H. B. 272. An act requiring the State Tax Commission to assess all property belonging to telephone, telegraph, express, turnpike or pipe line companies, both tangible and intangible, and providing for reports and the apportionment of the assessment among the jurisdictions entitled to collect taxes thereon.

H. B. 294. An act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

H. B. 280. An act making it the duty of the State Tax Commission to direct the institution of prosecutions to collect penalties for the failure of any taxpayer to make reports to the State Tax Commission for purposes of taxation.

H. B. 277. An act relating to the assessment of omitted intangible property with the county clerk and also the assessment of other property with the county clerk where such property has not been assessed by the county tax commissioner and prescribing his duties and methods of procedure.

H. B. 308. An act requiring the State Tax Commission to prescribe forms to be used by the county clerk in making reports to the Auditor of exonerations.

H. B. 98. An act entitled an act to amend an act approved March 20th, 1914, chapter 69, session 1914, Carroll's

Statutes, section No. 2739, subsection 2, to reulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

H. B. 321. An act to amend section 561, Kentucky Statutes, relating to termination of existence of corporations.

Ordered, that said bills be read the second time.

The provision of the Constitution, as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

Upon a call of the standing committees for reports the following bills were reported:

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

H. B. 282. An act to prevent selling soft drinks at places of religious worship except by consent of body.

With the expression of opinion that same ought to pass.

By Mr. Bryson, of the Committee on Codes of Practice:

H. B. 239. An act to amend section 203 of the Criminal Code, fixing the number of peremptory challenges allowed to defendants in criminal cases.

Without an expression of opinion.

Mr. Minor moved to give said bill its first reading and place it in the calendar the report of the committee notwithstanding.

Said motion was agreed to.

By Mr. Ciarlo, of the Committee on Circuit Courts:

H. B. 8. An act to amend and re-enact subsection 23 of section 965 of the Kentucky Statutes as compiled by Hon. John D. Carroll in 1918 and to fix the times and terms of circuit courts in the Twenty-third Judicial District.

With the expression of opinion that same ought to pass.

By same:

H. B. 368. An act to change and fix the times for holding the terms of circuit court in the Thirty-sixth Circuit Court Judicial District of Kentucky (composed of the counties of Wolfe, Morgan and Magoffin), and declaring an emergency.

With the expression of opinion that same ought to pass.

By Mr. Minor, of the Committee on Banks and Banking:

H. B. 26, entitled: An act to license and regulate the business of making loans in sum of three hundred dollars ($300.00) or less, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest than six per cent per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan; and repealing section 4758a, Carroll's Kentucky Statutes (1915) and repealing so much of section 4224, Carroll's Kentucky Statutes (1915), as is inconsistent with this act, and repealing all acts and parts of acts inconsistent with the provisions of this act.

Without expression of opinion.

Mr. Minor moved to give said bill its first reading and place same in the calendar the report of the committee notwithstanding.

Said motion was agreed to.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Lawrence indicated the hour of eleven o'clock a. m.

Then the House took up for consideration special order for this hour.

H. B. 77. An act to abolish the office of State Fire Marshal, and to assign the duties thereof to the sheriffs of the several counties of this Commonwealth.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

Section 1. The office of State Fire Marshal is hereby abolished and the duties now imposed by law on said office are hereby assigned to the sheriffs of the several counties of this Commonwealth and the salaries assigned by law to said marshal's office are hereby abolished.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

The committee to which same had been referred offered the following amendment by way of substitute to said bill, viz.:

An act to enlarge and extend the powers, duties and privileges of the Auditor of Public Accounts; to abolish the office of State Fire Marshal; to abolish the office of Superintendent of Fire Insurance Rates; to supervise the operation of fire insurance rate-making bureaus and providing for their

examination, prohibiting rebating and discriminations in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; providing for the prevention of fire waste, the investigation of fires and the origin thereof, and the consequential loss of life; fixing salaries and expenditures and prescribing duties; levying a tax upon certain insurance companies authorized to do business in the state for necessary expenses incident to the act; providing penalties for violation, and repealing existing statutes.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The Auditor of Public Accounts, hereinafter referred to as the Auditor, is hereby vested with the authority to and shall assume and discharge all the powers, duties and privileges conferred by law upon the fire marshal and the superintendent of fire insurance rates. He shall receive fourteen hundred dollars ($1,400.00) per annum payable from the same fund and in the same manner as prescribed by this act for the payment of other salaries and expenses, this to be in addition to the compensation now received by him, for the duties imposed by this act.

§ 2. The Auditor may employ deputies and such other assistants as he may find necessary, to hold at his pleasure, and he shall fix from time to time their duties and compensation and he may incur such other expenses as may be necessary in the performance of the duties imposed by this act.

§ 3. All salaries and other expenses shall be paid on warrant signed by the Auditor provided that such payment shall not be in excess of the limitations contained in this act as to the amount authorized to be expended.

§ 4. The total amount which the Auditor shall be authorized to spend in any one year shall not exceed an amount equal to one-half of one per cent of the gross premiums received by all foreign stock fire insurance companies, Lloyds and any other classes of companies operated for profit, upon property or upon other risks or hazards in this Commonwealth, deducting premiums returned on policies cancelled or not taken and deducting premiums paid for reinsurance on such business to companies authorized to transact business in this Commonwealth.

§ 5. Every insurance company affected by this act and doing business in this State during the preceding calendar year shall pay to the Auditor on or before the first day of March of each year, for the purpose of defraying the expenses as authorized by this act, one-half of one per cent of gross premiums so collected upon property or upon other risks or hazards in this Commonwealth during such year by all insurance companies affected by this act transacting business in this state; provided that in computing such gross receipts there hsall be deucted premiums returned on policies cancelled or not taken and premiums paid for re-insurance on such business to companies authorized to transact business in this Commonwealth. All moneys so collected shall be paid into the State Treasury for the purpose of paying the expenditures authorized by this act. If at the end of any year it shall be found that the aggregate amount expended in carrying out the provisions of this act during such year has been less than the amount collected for that year, the amount remaining unexpended shall be applied pro rata in the reduction of the amount to be collected from said companies for the ensuing year.

§ 6. The Auditor, in conjunction with or through other public officers upon whom any such duties are imposed, if any, shall enforce all laws and ordinances of the Commonwealth and the several counties, cities and other political subdivisions thereof relating to:

a. The prevention of fires, and the inspection of property periodically or otherwise, or any other regulations or methods adopted for the prevention of or reduction of loss by fire, or to promote the safety of persons in case of fire.

b. The manufacture, storage, sale and use of combustibles and explosives.

c. The installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment.

d. Fire escapes and other means of exit from or access to buildings or parts of buildings or other property, in case of fire.

e. The investigation of the cause, origin and circumstances of fire and the detention and suppression of arson.

§ 7. The Auditor, in conjunction with or through other public officers upon whom such duties are imposed, if any, shall have power and it shall be his duty:

(a) To supervise and make or cause to be made periodically a thorough inspection of all property within the cities and towns having fire departments, and so far as practicable all other property within this Commonwealth.

(b) To call to his aid individuals, or committees of commercial, industrial, labor, civic or public organizations or bodies, for formulating regulations to require that all buildings, structures and other premises be constructed, made and kept safe from loss or damage or loss of life or injury to persons by fire; to make and put in force such regulations; and to enforce the same as provided by law.

(c) To investigate the cause, origin and circumstances of every fire occurring within this Commonwealth by which property has been destroyed or damaged.

(d) To summon and compel the attendance of witnesses and production of testimony and to hold hearings and make orders in any and all matters under his jurisdiction.

(e) To cooperate with any and all other Commonwealths and all county, city and other governmental agencies having jurisdiction in any such matters.

(f) To cause fire prevention to be taught in all public and private schools at least once each week, and fire drills to be held in said schools at least once each month and to require that all doors and exits in school and public buildings open outward and be kept unlocked while such buildings are occupied for school or public purposes.

§ 8. The Auditor shall have power to require and compel the attendance of witnesses and the production of papers, books, accounts, documents, records, and other testimony in any investigation, examination, action or proceeding, which he is authorized to make, hear or determine. The Auditor may, in any such investigation, examination, action or proceeding, cause the depositions of witnesses residing wthin or without the Commonwealth to be taken in the manner prescribed by law for depositions in civil actions in circuit courts. The same fees shall be paid for the service of such process and for the taking of such depositions and for the service of stenographers as provided for such services in circuit courts. Payment of all such expenses incurred by the Auditor shall be by warrant in the same manner as for other expenses authorized by this act. In case any person shall refuse or fail to respond to any subpoena, testify, produce documents, or comply with other lawful orders made by the Auditor the facts may be certified by the Auditor to the circuit court of the county in which offense was committed, which shall thereupon have jurisdiction to hear, try and punish such persons as in other cases of contempt.

§ 9. The chief of the fire department in each city or town having a fire department, and the sheriff of each county, for the territory outside of the corporate limits of cities and towns in said county having fire department by virtue of their respective offices shall be deemed deputies when so directed by the Auditor for their respective counties, cities and towns. The Auditor shall from time to time prepare instructions to all his assistants for their use in the reports

required by this section, and cause the same to be printed and sent to each such assistant.

§ 10. The deputy for any city, town or other territory in which any fire shall occur shall immediately investigate the cause, origin and circumstances of such fire by which property has been destroyed or damaged and so far as possible determine whether the fire was the result of carelessness or design. If it shall appear to the officer making such investigation that such fire is of suspicious origin, he shall immediately notify the Auditor. Every fire occurring in this Commonwealth shall be reported within ten days by such deputy to the Auditor upon the forms prescribed by him.

§ 11. The Auditor shall, from time to time, make such additional investigations as he may deem necessary and shall have the power to summon witnesses and compel them to attend and testify and may require the production of books, papers, documents and other testimony. He shall have the power to administer oaths and affirmations to any person appearing as a witness, and false swearing shall be prosecuted as such. The fees to be paid for the service of summons shall be the same as in courts of justice of the peace and paid as provided for other expenses authorized under this act. Such examination may be public or private, as the officers conducting the investigation may determine, and the persons other than those required to be present may be excluded from the place where such examination is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined.

§ 12. If after any such investigation or examination the Auditor is of the opinion that the evidence in relation to such fire indicates that a crime has been committed, he shall present the testimony taken on examination with any other data in his possession to the county attorney of the county in which the supposed offense was committed, with the re-

quest that he institute such criminal proceedings as such testimony or data may warrant. Upon the request of the Auditor it shall thereupon be the duty of the Attorney General in person or by assistant to assist the county or Commonwealth attorney for such county in such prosecution in all courts of this Commonwealth, and in any appearance before the grand jury. The Attorney General or his assistants may in his discretion appear before the grand jury in the same capacity as the county or Commonwealth attorney and may assume the control and direction of any such action or proceedings.

§ 13. The Auditor shall keep in his office a record of all fires occurring in this Commonwealth and of all facts concerning the same, and shall make such compilations and statistical investigations as he may deem proper, all of which shall be kept as permanent records in his office. Such record of fires shall be made daily from the reports to him by his assistants. All such records shall be public except that any testimony taken in any investigation or examination may, in the discretion of the Auditor, be withheld from the public.

§ 14. In addition to the powers and duties of other deputies, the chief of the fire department is required, in person or by officers or members of his fire department designated by him for that purpose, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspection shall be subject to the supervision and direction of the Auditor and shall be made at least once each six months in all of the territory served by such fire department, and not less than once in three months within the fire limits or congested district subject to conflagration as the common council shall have designated or shall thereafter designate, and oftener as the chief of the fire department may order. Each six months'

period shall begin on the first days of January and July, and each three months' period on the first days of January, April, July and October of each year. A written report of each such inspection shall be made and kept on file in the office of the chief of the fire department in the manner and form required by the Auditor. A copy of any report showing a change in the hazard, or any violation of law or ordinance relating to the fire hazard upon any risk shall be given by the Auditor to any rating bureau making written request of him therefor. Whenever any of said officers shall find a building or other structure which, for want of repair, lack of sufficient fire escapes, or by reason of age, dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such building, he or they shall order the same to be remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings. If such order is made by any deputy or assistant, such owner or occupant may, within five days, appeal to the Auditor who shall, within ten days, review such order and file his decision thereon, and unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in said order. If any person fails to comply with the order of any officer under this section, or with the order as modified on appeal herein provided and within the time fixed, then such officer is hereby empowered and authorized to cause such buildings or premises to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied as the case may be, at the expense of such person, and if such person within thirty days thereafter fail, neglect, or refuse to pay said officer the expense incurred thereby by him, such officer and those employed to do the work shall have a prior lien on the real estate on which said building was located for

said expense. The Auditor or any assistant may at all reasonable hours, enter any buildings, structures or premises within his jurisdiction to make any inspection, investigation or examination which is authorized to be made under this section; provided that this shall not apply to the interior of private dwellings, except when a fire has occurred or when such officer shall have reason to believe that dangerous conditions exist in such dwelling. No person shall obstruct, hinder or delay any such officer in the performance of such duty.

§ 15. Every owner or other person having charge of or control over any building, structure or other premises in this section designated "owner" shall construct, keep and make such building, structure or other premises in this section designated "building" safe from loss or damage to property or loss of life, or injury to persons by fire, in this section designated "fire loss."

§ 16. No such owner shall require, permit or suffer the public or any employee to go or be in any such place which is not safe, and no such owner shall fail to furnish, provide and use reasonably adequate protection and safeguards against fire, or fail to adopt and use processes and methods reasonably adequate to render such places safe, and no such owner or other person shall fail or neglect to do every other thing reasonably necessary to prevent a fire loss in such building so under his charge or control.

§ 17. The Auditor is vested with the power and jurisdiction over, and shall have such supervision of, every such building in this Commonwealth as may be necessary to enforce all laws, ordinances and all lawful orders requiring any such place to be safe, and requiring protection from such fire loss.

§ 18. The Auditor shall have power and authority:

(a) To appoint advisers and to promote and secure the appointment and service of committees of commercial, industrial, labor, civic and other organizations, who shall, without compensation, assist the Auditor in establishing standards

of safety, and the Auditor may adopt and incorporate in his general orders such safety recommendations as he may receive from such advisers and committees.

(b) To establish and maintain museums and exhibits of safety and fire prevention, in which shall be exhibited equipment, safeguards and other means and methods for protection against fire loss, and to publish and distribute bulletins on any phase of this general subject.

(c) To cause lectures to be delivered, illustrated by stereopticon or other views, diagrams or pictures, for the information of such owners or other persons, and the general public, in regard to the causes and prevention of fires and related subjects.

§ 19. The Auditor shall have the power, after a hearing had upon his own motion or upon complaint, by general or special orders or otherwise:

(a) To declare and prescribe what protection, safeguards or other means or methods will be best adapted to tender any such building safe as required by law, ordinances or lawful orders.

(b) To fix such reasonable standards, and prescribe, modify and enlarge such reasonable orders for the adoption, installation and maintenance of equipment, safeguards and other means or methods of protection as nearly uniform as possible, as shall be necessary to carry out all laws, ordinances and lawful orders relative to the prevention of such fire loss.

(c) To fix and order such reasonable standards for the construction and maintenance of such buildings as shall render them safe from such fire loss.

(d) To require the performance of any other act necessary for the prevention of such fire loss.

§ 20. Upon the fixing of a time and place for holding a hearing for the purpose of considering and issuing a general safety order or orders as authorized by section 19, the Auditor shall cause a notice of such hearing to be published

in two o rmore daily newspapers of general circulation published and circulated in this Commonwealth, such newspapers to be designated by him for that purpose. No defect or inaccuracy in such notice or in the publication thereof shall invalidate any general order issued by the Auditor after hearing had.

§ 21. Whenever the Auditor after a hearing had upon his own motion or complaint, shall find that any building is not safe or that the practices or means or methods of operation or processes employed or used in connection therewith are unsafe, or do not afford adequate protection against such fire loss, in any such place, the Auditor shall make and serve such order and direct that such additions, repairs, improvements or changes be made and such equipment and safeguards be furnished, provided and used, as are reasonably required to render such place safe, in the manner and within the time specified in said order. The said Auditor may fix the time within which any general or special order shall take effect or shall be complied with by any person affected thereby; and may on his own motion or upon application of any owner or any other person affected thereby, grant such time as may reasonably be necessary for compliance with such order. Every such owner and every other person shall obey and comply with each and every requirement of every general or special order made by the Auditor under this section, and shall do everything necessary and proper to secure compliance with and observance of every such general or special order.

§ 22. Nothing contained in this act shall be construed to deprive the authorities of any county, city or any other municipality, of any power or jurisdiction over or relative to any such building; provided, that, whenever the Anditor shall, by order, fix a standard of safety from fire loss, such order shall establish a minimum requirement concerning the matters conveyed by such order and shall be construed in connection with any local order relative to the same matter. A copy of every such order shall be filed by the Auditor

in each county, city or other municipality, with the officer or board having jurisdiction over such matters.

§ 23. The Auditor shall enter all orders, general or special, in a permanent record. Every order, general or special, of the Auditor made and entered under this section shall be admissible as evidence in any prosecution for the violation of any of its provisions. Unless proceedings for a rehearing upon such order or a review thereof shall have been instituted and be pending and it shall not then have been finally determined, the provisions of such order shall be presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement of safety from such fire loss.

§ 24. Any owner, occupant or other person having control over or charge of any building, structure or other premises and any person required to do or perform any act herein required who shall violate any provision of such laws or any part thereof, or who shall fail or refuse to comply with any such provision or any part thereof, or who shall violate or fail or refuse to comply with any lawful order made under such laws, or who, directly or indirectly, knowingly induced another so to do, shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment. In any prosecution under this subsection it shall be deemed prima facie evidence of a violation that the accused has failed or refused to comply with any order, rule, regulation or requirement of the Auditor of Public Accounts relative to the safety of any building, structure or premises, and the burden of proof shall thereupon rest upon the accused to show that he has complied with such order, rule, regulation or requirement. Every violation of the provisions contained in sections 17, 18 and 23 or any part or portion thereof by any person or corporation is a separate and distinct offense and, in the case of a

continuing violation thereof, each day's continuance thereof shall constitute a separate and distinct offense.

§ 25. Every fire insurance company authorized to effect insurance against the risk of loss or damage by fire in this Commonwealth shall, before being permitted to write fire insurance in this Commonwealth, be a member of, or maintain a rating bureau, and no such insurer shall be a member of more than one rating bureau for the purpose of rating the same risk against the same hazard. A rating bureau may consist of one or more insurers, and when composed of two or more insurers shall admit to membership any fire insurance company authorized to do business within this Commonwealth applying therefor. The expenses of the bureau shall be shared in proportion to the gross premiums received by each member during the preceding year in this Commonwealth upon the business by such bureau (exclusive of premiums from insurance upon farm property which is not rated by schedule) deducting premiums returned on policies not taken or cancelled, and returns or dividends on mutual or participating policies, to which may be added a reasonable fee, which shall not exceed fifty ($50.00) dollars. Each member shall have one vote. Every bureau shall maintain an office within the United States, and every fire insurance company or other insurer aforesaid shall in its annual application for license specify each rating bureau making rates upon property located within this state of which it is a member, and during the year file written notices of any other such rating bureau of which it shall become a member.

§ 26. Every rating bureau or other insurer engaged in making rates or estimates for rates for fire insurance on property in this Comonwealth shall inspect every risk specifically rated by it upon schedule and make a written survey of such risk which shall be filed as a permanent record in the office of such bureau or insurer. Upon the making of any survey the bureau shall promptly furnish to the owner a statement of the rate and of the removable defects found, with

suggestions for improvements and the removing of such defects. A copy of such survey shall be furnished to the insured or his authorized agent upon request.

§ 27. The auditor may address inquiries to any individual, association or bureau, which is, or has been, engaged in making rates or estimates for rates for fire insurance upon property in this Commonwealth, in relation to the organization, maintenance or operation, or any other matter connected with its transaction, and may require the filing of schedules, rates, forms, rules, regulations and such other information as may be required, and it shall be the duty of every such individual, association or bureau or some officer thereof, promptly to make such filing or reply to such inquiries in writing. Provided, surveys or complete schedules may be required to be copied and delivered to said auditor only in so far as may be necessary to determine the existence or extent of discrimination claimed by a property owner to exist as to his property.

§ 28. The Auditor shall have power to examine any such rating bureau as often as he deems expedient to do so, and shall do so not less than once every two years. A report thereof shall be filed in the office of the said Auditor. The Auditor may waive such examination when one has been made by some other department or proper supervising officer within such two years.

§ 29. No fire insurance company or other insurer against the risk of fire, nor any rating bureau, shall fix or charge any rate for fire insurance upon property in this Commonwealth which discriminates unfairly between risks in the application of like charges and credits, or which discriminates unfairly between risks of essentially the same hazards, and having substantially the same degree of protection against fire.

§ 30. Any deviation by any company or insurer from the schedule of rates established and maintained by the bureau which it maintains or of which it is a member, shall be

uniform in its application to all of the risks in the class for which the variation is made, and no such deviation shall be made unless the same is uniform and unless notice thereof shall be filed with the bureau of which the insurer is a member and the Auditor at least fifteen (15) days before such variation is in effect. Except as contained in the policy and the usual contract for other insurance, no insurance company or insurer or rating bureau shall make any contract or agreement with any person insured or to be insured that the whole or any part of the insurance shall be written by, or placed with any particular company, insurer, agent or group of companies, insurers or agents.

§ 31. The said Auditor is hereby empowered upon written complaint or upon his own information that any rate discriminates unfairly between risks in the application of like charges and credits or discriminates unfairly between risks of essentially the same hazard and having substantially the same degree of protection against fire, to order a hearing for the purpose of determining such question of discrimination. The review of such rate before said Auditor shall be had only after due notice to all parties interested. If upon such hearing the Auditor shall determine that such discrimination exists, he shall have power to order such discrimination removed.

§ 32. The Auditor shall, upon written complaint or upon his own motion, have power to investigate the necessity for a reduction of rates, and upon investigation, shall have power to order such reduction if the result of the business of the stock fire insurance companies, in this Commonwealth, for five years next preceding said investigation shows that there has been an aggregate profit in excess of a reasonable amount, but in no event shall said Auditor have power to order any reduction in rates in this Commonwealth which will prevent a reasonable aggregate profit to the stock fire insurance companies licensed therein. Any reduction ordered by said Auditor shall be applied to such class as may be determined by the

companies or rating bureau, or bureaus, subject, however, to the approval of the said Auditor. The term "Stock Fire Insurance Companies," as used in this section, shall include stock fire insurance corporations, Lloyds and all other fire insurance organizations operated for profit. In determining the question of reasonable profits, under this section, the Auditor shall give proper and reasonable consideration to the losses and liabilities both within and without this Commonwealth.

§ 33. No fire insurance company and no rating bureau or other representative of any fire insurance company or other insurer or rating bureau, shall enter into or act upon any agreement with regard to the making, fixing or collecting of any rate for fire insurance upon any property within this Commonwealth, except in compliance with this section; but any agreement may be made and enforced, provided the same be not contrary to law or public policy, and be in writing, and prior to its taking effect, a copy thereof be filed with the Auditor and with each rating bureau of which any of the parties thereto shall be a member or subscriber. The Auditor may after due notice and hearing upon complaint or upon his own motion, make an order disapproving any such agreement, which does not conform to the provisions of this section, and no such agreement shall be in force nor shall any right be based thereon after service of a copy of such order upon each of the parties to such agreement, and upon each bureau with which such agreement is required to be filed.

Any order made by the Auditor shall be subject to court review and the Auditor may institute action in any circuit court having jurisdiction to compel any company or bureau to obey an order promulgated by the Auditor.

§ 34. Any officer, director, United States manager, employee, attorney in fact, agent, adjuster, inspector or other person violating any provision of this act shall be punished by a fine of not less than ten ($10) dollars nor more than

five hundred ($500) dollars or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, the court may in its discretion suspend or revoke any license held by such person for the transaction of the business of insurance or any business relating thereto.

§ 35. The provisions of this act shall not apply to purely mutual or to purely profit-sharing fire insurance companies incorporated or unincorporated under the laws of this state and carried on or by the members thereof solely for the protection of their property and not for profit; nor to companies, societies or associations organized under the authority and patronage of any church or religious denominations for the exclusive purpose of insuring the property of churches or religious denominations and the personal property of the pastors and ministers thereof against loss or damage by fire, lightning or storm.

36. Sections 762f1-22 inclusive, 762a1a, 762a1-13 inclusive, of Carroll's Statutes, 1915, and all other acts or parts of acts in conflict with this act are hereby repealed.

Mr. Wash offered the following amendments to the substitute of said bill, viz.:

Amendment No. 1. Amend section five by adding after the word "every" in the first line of said section the word "foreign," so that said section when amended will read:

Section 5. Every foreign insurance company affected by this act and doing business in this state during the preceding calendar year shall pay to the Auditor on or before the first day of March of each year, for the purpose of defraying the expenses as authorized by this act, one-half of one per cent of gross premiums so collected upon property or upon other risks or hazards in this Commonwealth during such year by all insurance companies affected by this act transacting business in this state, provided that in computing such gross

receipts there shall be deducted premiums returned on policies cancelled or not taken and premiums paid for re-insurance on such business to companies authorized to transact business in this Commonwealth. All moneys so collected shall be paid into the state treasury for the purpose of paying the expendiutres authorized by this act. If at the end of any year it shall be found that the aggregate amount expended in carrying out the provisions of this act during such year has been less than the amount collected for that year, the amount remaining unexpended shall be applied pro rata in the reduction of the amount to be collected from said companies for the ensuing year.

Amendment No. 2. Amend section 29 by adding at the end of said section the following words:

"No fire insurance company or other insurer against the risk of fire, nor any rating bureau, shall use any method of computing unearned premiums on policies to be cancelled covering farm property other than that used on other classes of property of like character located in cities and towns."

So that said section when so amended shall read as follows:

§ 29. No fire insurance company or other insurer against the risk of fire, nor any rating bureau, shall fix or charge any rate for fire insurance upon property in this Commonwealth which discriminates unfairly between risks in the application of like charges and credits, or which discriminates unfairly between risks of essentially the same hazards, and having substantially the same degree of protection against fire.

No fire insurance company or other insurer against the risk of fire, nor any rating bureau, shall use any method of computing unearned premiums on policies to be cancelled covering farm property other than that used on other classes of property of like character located in cities and towns.

Amendment No. 3. Amend section 36 by striking out all of said section and substituting in lieu thereof the following:

All money heretofore collected from insurance companies under the provisions of the law for the maintenance of the departments under the Fire Marshall and under the Superintendent of Fire Insurance Rates unexpended and unused at the time of the passage of this act, shall be used for defraying the expenses authorized to be incurred under the provisions of this act, same to be paid out in the same manner as are other claims under the provision of this act.

Amendment No. 4. Amend said bill by adding thereto another section so that said section when added shall read as follows:

Section 37. Section 762f1-22 inclusive, 762a1a, 762a1-13 inclusive, of Carroll's Statute, 1915, and all other acts or parts of acts in conflict with this act are hereby repealed.

Said amendments were adopted.

Then the substitute as amended was agreed to.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended by the substitute as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

| | | |
|---|---|---|
| Lon Adams | Henry Kaufman | Dr. Lewis Ryans |
| Sidney Alfrey | W. L. Kimbrough | W. P. Scott |
| L. H. Ballard | J. M. Knott | H. G. Skiles |
| H. H. Barnes | Dr. S. D. Laughlin | S. G. Smith |
| J. M. Billiter | Hebron Lawrence | R. Lee Stewart |
| Rodney G. Bryson | Joseph Lazarus | Wm. A. Stewart |
| Roy J. Cain | Elmer Lusby | John T. E. Stites |
| W. T. Carner | R. C. Marcum | John W. Swope |
| J. F. Carr | I. S. Mason | J. Mack Thompson |
| Charles M. Ciarlo | A. J. McCandless | J. H. Thompson |
| B. L. Cox | R. L. McFerron | Dr. D. J. Travis |
| H. N. Dean | Homer C. McLellen | C. B. Truesdell |
| J. B. Denues | Claude D. Minor | John L. Trumbo |
| H. C. Duffy | Mack J. Morgan | J. Wood Vance |
| Dr. T. H. Gamblin | John T. Murphy | Fred C. VanHoose |
| B. J. Goehringer | Estill W. Neel | Daniel Vose |
| J. W. Geveden | Chas. A. Nelson | A. M. Wash |
| A. L. Hamilton | T. P. Oliver | J. S. Webb |
| A. F. Hanberry | T. C. Pryse | Dr. T. R. Welch |
| E. C. Hardin | S. C. Ray | Gladstone Wesley |
| Talbert Holliday | J. L. Richardson | V. M. Williamson |
| A. R. Hudson | Sherman Robbins | W. N. Winn |
| Robt. Humphreys | Lee Rogers | |
| R. O. Huntsman | B. A. Roth | —70 |

Those who voted in the negative were—

| | | |
|---|---|---|
| W. T. Beckham | J. W. Johnson | H. A. Spillman |
| W. M. Boling | Frank Kennard | Frank L. Strange |
| P. A. Day | Rev. J. A. Lee | John B. Thomas |
| Dr. W. L. Gossett | B. F. Reynolds | Geo. C. Waggoner |
| Dr. W. L. Haynes | Chas. R. Scott | W. G. Wheeler |
| D. J. Howard | Dr. B. F. Shields | —17 |

Mr. Wash offered the following amendment to the title of H. B. No. 77, viz.:

Amend title of House Bill 77, so the said title shall read as follows:

An act to enlarge and extend the powers, duties and privileges of the Auditor of Public Accounts; to abolish the office of State Fire Marshal; to abolish the office of Superintendent of Fire Insurance Rates; to supervise the operation of fire insurance rate making bureaus and providing for their examination; prohibiting rebating and discriminations in fixing and collectng fire insurance rates; requiring companies to maintain and cooperate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; providing for the prevention of fire waste, the investigation of fires and the origin thereof, and the consequential loss of life; fixing salaries and expenditures and prescribing duties; levying a tax upon certain insurance companies authorized to do business in the state for necessary expenses incident to the act; providing penalties for violation, and repealing existing statutes.

Said amendment was adopted.

Resolved, that the title thereof be as amended.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 149, 147, 45, 151 and 228.

A message was received from the Senate announcing that it had passed Senate Bill No. 21.

The title of said bill is as follows:

An act creating a county board of education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of county superintendent by said board, fixing his qualification, compensation and term of office and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the county board of education; providing for a levy of tax for common school purposes in each county, prescribing the duties of the county tax commissioner, the county court clerk; with reference to the assessment of the property subject to said tax and prescribing the duties of the county board of education and the fiscal court levying said tax and prescribing the duties of the sheriff in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for employment of teachers; providing for the appointment of district trustees and prescribing their duties.

Ordered, that said bill be printed and referred to the Committee on Education No. 1.

The special order having been disposed of the call of the standing committees was resumed.

The following bills were reported:

By Mr. Biliter, of the Committee on Education No. 2:

H. B. 269. An act to amend and re-enact sections 4426-2, 4448, 4458, Kentucky Statutes, Carroll's Edition, 1918, relating to schools, subdistricts and local taxation.

With the expression of opinion that same ought to pass.

By Mr. Vose, of the Committee on Fish and Game:

H. B. 251. An act entitled the game and fish local option law.

With the expression of opinion that same ought not to pass.

Mr. Adams moved that said bill be given its first reading and placed in the calendar, the report of the committee to the contrary notwithstanding.

Said motion was agreed to.

By Mr. Huff, of the Committee on Fish and Game:

H. B. 170. An act repealing section No. 1938a-5 of the 1918 edition of Carroll's Kentucky Statutes relating to the catching and killing of rabbits and re-enacting the same with certain modifications thereof.

Without expression of opinion.

Mr. Welch moved that said bill be given its first reading and placed in the calendar, the report of the commiteee to the contrary notwithstanding.

Said motion was agreed to.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 378. An act to repeal section 962b of Kentucky Statutes, Carroll's edition, 1915.

With the expression of opinion that same ought to pass.

By same:

H. B. 341. An act providing that marriage of a female ward discharges guardianship, and entitled her to demand a settlement with her guardian, after she has attained the age of nineteen years.

With the expression of opinion that same ought to pass.

By same:

H. B. 211. An act to amend chapter 132, 1918 Acts of the Kentucky Legislature, same being an amendment to section 2514, Kentucky Statutes, Carroll's 1915 edition, entitled "Actions that must be brought within fifteen years after accrual of right."

With the expression of opinion that same ought to pass.

By same:

H. B. 44. An act to empower the several counties of this Commonwealth to acquire, own and operate ferries across navigable streams and to condemn land and existing ferry franchises for that purpose.

With the expression of opinion that same ought to pass.

By same:

H. B. 158. An act to amend and re-enact section 772-A, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

With the expression of opinion that same ought to pass with an amendment.

By Mr. Roth, of the Committee on Municipalities:

H. B. 348. An act to amend and re-enact section 2777, Carroll's Kentucky Statutes, edition of 1915, being section 15 of an act entitled, "An act for the government of cities of the first class," approved July 1st, 1893.

With the expression of opinion that same ought to pass.

By same:

H. B. 221. An act to amend and re-enact section 3 of chapter 72 of the Acts of the General Assembly of 1916, relating to fiscal courts in each county of the Commonwealth having therein a city of the first class; and authorizing the fiscal court in such county to appoint a clerk and deputy and a stenographer and to fix their bonds, salaries and prescribe their duties.

With the expression of opinion that same ought to pass with an amendment.

By Mr. R. L. Stewart, of the Committee on Redistricting—Judicial.

H. B. 337. An act to amend an act entitled, "An act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-first and Twenty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth district, and fixing the time for holding the courts in said district and in the other districts affected."

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Roads and Highways:

H. B. 199. An act regulating rates of toll allowed to be charged by all turnpike companies now operating in the state of Kentucky.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

By same:

H. B. 396. An act imposing a tax on distilled spirits known as whiskey or brandy or other species of spirits in this state now held in bonded warehouses or other places of safekeeping by any person or firm, corporation or association in whose custody the above named spirits are possessed.

With the expression of opinion that same ought to pass.

By same:

H. B. 343. An act to repeal an act entitled, An act for the improvement of the public highways of this Commonwealth, being chapter 169 of the Acts of 1918, relating to the removal of weeds, shrubs, etc., by the owners and controllers of lands abutting on the public highways.

With the expression of opinion that same ought to pass.

By same:

H. B. 72. An act prohibiting combinations and pooling by bridge and highway contractors.

With the expression of opinion that same ought to pass.

Mr. Lazarus moved to extend today's session until the reports of standing committees are concluded.

Said motion was agreed to.

By Mr. Williamson, of the Committee on Suffrage and Elections:

H. B. 115. An act to amend and re-enact section 4535h-1, Kentucky Statutes, Carroll's 1915 edition, 3rd volume, published in 1918, prescribing the qualifications of women voters in school elections for school officers and in all elections in which women are or may be entitled to vote.

With the expression of opinion that same ought to pass.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 118. An act amending and re-enacting section 3677 and repealing section 3678, Carroll's Statutes, edition 1915, relating to assessment and collection of taxes in cities of the sixth class.

With the expression of opinion that same ought to pass.

By same:

H. B. 327. An act prescribing a method for the assessment of real estate for taxes after same has been sold for taxation and before it is redeemed.

With the expression of opinion that same ought to pass.

By same:

H. B. 313. An act to amend and re-enact section 18 chapter 1, Acts of 1917, which is now section 4114i-18, Kentucky Statutes, relating to the duties of the State Tax Commission, and providing for a review of its acts by the courts.

With the expression of opinion that same ought to pass

By same:

H. B. 312. An act providing for the supervision and equalization of the assessment of property in a county in cases where a county or any part thereof is reassessed under the directions of the State Tax Commissioner.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Mr. McCandless, of the Committee on Cities of the Fifth and Sixth Classes:

H. B. 338. An act to repeal an act entitled, an act to require incorporated cities and towns to maintain government by the election of officers and the levying and collecting of taxes of such cities and towns and providing for forfeiture of charter and manner of proceeding therein, being chapter 152 of the Acts of 1918.

With the expression of opinion that same ought not to pass.

Mr. Wash moved that the report of the committee be adopted as a decision of the House and that the bill be refused its first reading.

Said motion was agreed to.

By Mr. Hamilton, of the Committee on Railroads:

H. B. 270. An act to amend and re-enact section 809, Kentucky Statutes, Carroll's edition, 1915, relating to killing or injuring stock by locomotives or cars of railroad companies.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the bill be given its first reading and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative

By Mr. Huff, of the Committee on Fish and Game:

H. B. 202. An act to repeal and re-enact section 1 of chapter 31 of the Acts of the General Assembly, 1916, which is "An act for the protection of game birds and game animals; fixing open and closed seasons and providing penalties for violation."

With the expression of opinion that same ought not to pass.

Mr. Welch moved that the decision of the committee be adopted as the decision of the House and that the bill be refused its first reading.

Said motion was agreed to.

By Mr. Huff, of the Committee on Fish and Game:

H. B. 162. An act to amend and re-enact section 1938a-5, Kentucky Statutes, Carroll's edition, 1918, relating to game.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 165. An act entitled an act to amend sections 1938A-2 and 1938A-4 of Kentucky Statutes, Carroll's edition, volume 3, 1918, relating to "Game and Birds."

With the expression of opinion that same ought not to pass.

Mr. Welch moved that the decision of the committee be adopted as the decision of the House and that the bill be refused its first reading.

Said motion was agreed to.

By same:

H. B. 48. An act to amend and re-enact section 1954c-34, Kentucky Statutes, relating to hunting without license and providing penalties therefor.

With the expression of opinion that same ought not to pass.

Mr. Welch moved that the report of the committee be adopted as the decision of the House and that the bill be refused its first reading.

Said motion was agreed to.

By same.

H. B. 79. An act to amend section 2 of chapter 31 of an act of the General Assembly of 1916, which is "An Act for the protection of game birds and game animals, fixing open and closed seasons and providing penalties for vioaltion."

With the expression of opinion that same ought not to pass.

Mr. Welch moved that the report of the Committee be adopted as the decision of the House and that the bill be refused its first reading.

Said motion was agreed to.

Mr. R. Lee Stewart moved that House Bill No. 261 be made a special order for Monday, February 16th, at 2:30 p. m.

Said motion was adopted.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 166. An act entitled, an act to repeal an act entitled, "An act to promote and protect live stock industry in Kentucky, approved March 28, 1918, in so far as same amends and repeals an act entitled, 'An act to promote the sheep industry and provide a tax on dogs,'" approved March 1, 1906, and to re-enact in lieu thereof sections 64, 65, 66 and 68a, subsections 1, 2, 3, 4, 6, 7 of Kentucky Statutes, Carroll's Edition 1915, approved March 1, 1906.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 331. An act to exempt from taxation all maimed soldiers and all maimed persons whose income is less than fifteen hundred dollars per year, who are citizens of this state at the time of the passage of this act, provided such persons shall pay a property tax on all property owned by them in excess of fifteen hundred dollars.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary natwithstanding?"

Said question was decided in the negative.

By same:

H. B. 57. An act to amend section 4 of chapter 11, Acts of the General Assembly of 1917, relating to revenue and taxation.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 83. An act to amend and re-enact section 1 of chapter 4, Acts of 1918, relating to revenue and taxation, providing for an annual tax levy and the distribution thereof.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 130. An act to amend and re-enact section 382, Kentucky Statutes.

With the expression of opinion that same ought not to pass.

The Chair stated the question, "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same.

H. B. 69. An act to amend and re-enact section 4019, Kentucky Statutes, being an act to amend and re-enact Section 1 of an act entitled:

With the expresion of opinion that same ought not to pass.

The Chair stated the question, "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same.

H. B. 233. An act to amend and re-enact section 4042a12, Kentucky Statutes, Carroll's edition, vol. 3, 1918, relating to the manner of assessment of property for taxation and duties of Tax Commissioner.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 88. An act relating to taxation, notes and bonds.

With the expression of opinion that same ought not to pass.

The Chair stated the question: "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 235. An act providing for the annual assessment of all property except real estate, for state and county purposes, and providing further that real estate shall be assessed quadrennially, and further providing for the assessment of omitted property, improvements and parts of real estate conveyed and defining the words "Real estate," and pro-

viding for a repeal of all laws, or parts of laws in conflict with said act.

With the expression of opinion that same ought not to pass.

The Chair stated the question, "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 11. An act relating to deeds, mortgages and other instruments of writing.

With the expression of opinion that same ought not to pass.

Mr. Swope moved that the report of the committee be adopted as the decision of the House.

Said motion was agreed to.

An indefinite leave of absence was granted to Mr. Kimbrough.

Dr. Haynes moved that the House do now adjourn.

Then the House, at 1:20 o'clock p. m., adjourned, pursuant to joint resolution adopted today, to meet Monday, February 16th, at one o'clock p. m.

MONDAY, FEBRUARY 16, 1920.

The House was called to order by the Speaker at 1:00 p. m.

The House was opened with prayer by the Rev. M. S. Clark, pastor of the Methodist Church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

| | | |
|---|---|---|
| Lon Adams | D. J. Howard | B. F. Reynolds |
| Sidney Alfrey | A. R. Hudson | J. L. Richardson |
| L. H. Ballard | Adam W. Huff | Sherman Robbins |
| H. H. Barnes | Robt. Humphreys | Lee Rogers |
| W. T. Beckham | R. O. Huntsman | B. A. Roth |
| S. M. Bennett | J. W. Johnson | Dr. Lewis Ryans |
| J. M. Billiter | Henry Kaufman | W. P. Scott |
| Jo F. Bosworth | Griffin Kelly | Dr. B. F. Shields |
| Rodney G. Bryson | W. L. Kimbrough | R. Lee Stewart |
| W. T. Carner | Dr. S. D. Laughlin | Wm. A. Stewart |
| J. F. Carr | Hebron Lawrence | John T. E. Stites |
| Charles M. Ciarlo | Joseph Lazarus | John W. Swope |
| B. L. Cox | Elmer Lusby | J. Mack Thompson |
| J. S. Cruse | R. C. Marcum | J. H. Thompson |
| H. N. Deary | I. S. Mason | C. B. Truesdell |
| J. B. Denues | A. J. McCandless | John L. Trumbo |
| H. C. Duffy | R. L. McFerron | J. Wood Vance |
| J. M. Foster | Homer C. McLellen | Fred C. VanHoose |
| J. W. Geveden | Mack J. Morgan | Daniel Vose |
| Dr. W. L. Gossett | Estill W. Neel | Geo. C. Waggoner |
| A. L. Hamilton | Chas. A. Nelson | A. M. Wash |
| Dr. W. L. Haynes | T. P. Oliver | J. S. Webb |
| Talbert Holliday | T. C. Pryse | Gladstone Wesley |

W. G. Wheeler V. M. Williamson
R. E. Wilborn Dr. W. S. Yazell —73

On motion of Mr. Roth the reading of the Journal of Wednesday, February 11th, was dispensed with and the Journal approved.

Mr. Lazarus moved to take up for immediate consideration from the orders of the day House Bill No. 139.

Upon a division of the House said motion was lost. Yeas, 18; nays, 28.

Mr. Hudson moved that the vote by which said motion was lost be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr Barnes offered the following resolution, viz.:

H. Res. No. 22. Resolved, that the State of Kentucky express its grateful appreciation of the United States Public Health Service for saving thousands of Kentuckians from blindness from trachoma.

Said resolution was adopted.

The Speaker laid before the House the following communication, viz.:

"New York, N. Y., Feb. 14, 1920.

"*The Speaker, Kentucky House, Frankfort, Ky.*:

"The following resolution was unanimously adopted Friday, the Senate of the State of Massachusetts, Democrats and Republicans alike, irrespective of party, joining in the action:

"'Ordered that the Massachusetts Senate respectfully urge upon the President of the United States to defer the proposed sale of the German merchant fleet, taken by the United States during the late war, for a sum much less than their actual value, to the International Mercantile Marine, or to any other corporation or organization whose ships do not fly the American flag, and further that it urge upon the President to consider the expediency of operating said ships under government auspices, thus preventing a great financial sacrifice and rendering them available as naval auxiliaries in time of war, and be it further ordered that copies of these resolutions be sent by the Clerk of the Senate to the President of the United States, to the Chairman of the United States Shipping Board, and to the Senators and Representatives in Congress from Massachusetts.'

"We respectfully submit this to your attention.

"There is an opportunity now as never before to form a merchant marine and to keep the American flag on the seas. The Massachusetts Senate adopted this resolution in the interest of United States shipping and commerce and United States Naval Reserve. This is sent to you with the hope that perhaps from your Legislature a patriotic appeal might come along the lines of that formulated in Massachusetts.

"F. J. McCarthy,
"*Managing Editor, New York American.*"

Mr. Waggoner moved that House Bll No. 181 be made a special order for Wednesday, February 18th, att 11 o'clock a. m

Said motion was agreed to.

Mr. Kelly moved that the bills in the calendar be now read the second time by their title only and placed in the orders of the day.

Said motion was agreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. Res. 16. An act to amend section 145 of the Constitution.

H. Res. 14. Resolution of the House of Representatives of the General Assembly of Kentucky, providing for the submission to the voters of the state an amendment to the Constitution; providing that all proposed amendments to the Constitution of the United States shall be submitted to the vote of the people by the Secretary of State before being acted upon by the Legislature of the state.

H. B. 184. An act for taking the sense of the people of this state as to the necessity and expediency of calling a convention for the purpose of revising or amnding the Constitution and amendments thereto.

H. B. 285. An act to repeal section 659 of the Kentucky Statutes relating to life insurance, and to substitute in lieu thereof other provisions concerning insurance written on the lives of persons of this Commonwealth.

H. B. 283. An act designating the kind and character of investments which may be made by insurance corporations with its capital, accumulations and funds, and providing for the change and reinvestment of same from time to time, and limiting the amount thereof that may, by the said corporations be invested in certain classes of securities, and repealing section 625 of chapter 32 of the Kentucky Statutes.

H. B. 259. Be it enacted by the General Assembly of the Commonwealth of Kentucky that section 1246 of the Kentucky Statutes be amended by adding thereto as follows:

H. B. 139. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other

similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

H. B. 306. An act to change the time of holding circuit court in the First Judicial District of Kentucky.

H. B. 302. An act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

H. B. 300. An act to amnd and re-enact section 128, chapter 43, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, "An act entitled 'An act to provide for the organization, armament, equipment, discipline and government of the militia.'"

H. B. 320. An act to amend section 571, Ky. Statutes, Carroll's edition, 1915, relative to filing statements by corporations showing places of business and naming authorized agent or agents upon whom process may be served.

H. B. 258. An act relating to children who are now or hereafter may become dependent, neglected or delinquent in counties containing cities of the first class in the Commonwealth of Kentucky, and providing for the selection and appointment of commissioners, referees and probation officers in such counties and prescribing their terms of office, their duties and remuneration.

H. B. 173. An act pertaining to the adoption of children and the powers of societies and institutions engaged in child welfare work, through their officers, to consent to adoptions,

and concerning the reclaiming of children by parents or others.

H. B. 384. An act to amend the first paragraph of section 331a-4, Kentucky Statutes, Carroll's edition, 1918, relating to the granting of certificates for the employment of children.

H. B. 336. An act to amend and re-enact section 21 of chapter 1 of title 3, of the Kentucky Code of Civil and Criminal Practice.

H. B. 325. An act to repeal, amend and re-enact subsection 5 of section 1403, Carroll's edition, 1915, Kentucky Statutes, relating to descent and distribution of personal property.

H. B. 23. An act to amend section 356 of the Kentucky Statutes relating to the fees allowed jailors in counties having within their boundaries cities of the first class.

H. B. 282. An act to prevent selling of soft drinks at places of religious worship except by consent of body.

H. B. 8. An act to amend and re-enact subsection 23 of section 965 of the Kentucky Statutes as compiled by Hon. John D. Carroll in 1918 and to fix the times and terms of circuit courts in the Twenty-third Judicial District.

H. B. 368. An act to change and fix the times for holding the terms of circuit court in the Thirty-sixth Circuit Court Judicial District of Kentucky (composed of the counties of Wolfe, Morgan and Magoffin) and declaring an emergency.

H. B. 26. An act to license and regulate the business of making loans in sums of $300 or less, to individuals pressed

by lack of funds to meet immediate necessities, at a greater rate of interest than six per cent per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan, and repealing section 4758a, Carroll's Kentucky Statutes (1915), and repealing so much of section 4224, Carroll's Kentucky Statutes (1915) as is inconsistent with this act, and repealing all acts and parts of acts inconsistent with the provisions of this act.

H. B. 269. An act to amend and re-enact sections 4426a-2, 4448, 4458, Kentucky Statutes, Carroll's edition, 1918, relating to schools, subdistricts and local taxation.

H. B. 251. An act entitled the fish and game local option law.

H. B. 170. An act repealing section No. 1938a-5 of the 1918 edition of Carroll's Kentucky Statutes relating to the catching and killing of rabbits and re-enacting the same with certain modifications thereof.

H. B. 378 An act to repeal section 962b of Kentucky Statutes, Carroll's Edition, 1915.

H. B. 341. An act providing that marriage of a female ward discharges guardianship, and entitled her to demand a settlement with her guardian, after she has attained the age of nineteen years.

H. B. 211. An act to amend chapter 132, 1918 Acts of the Kentucky Legislature, same being an amendment to section 2514, Kentucky Statutes, Carroll's 1915 edition, entitled "Actions that must be brought within fifteen years after accrual of right."

H. B. 44. An act to empower the several counties of this Commonwealth to acquire, own and operate ferries across navigable streams and to condemn land and existing ferry franchises for that purpose.

H. B. 158. An act to amend and re-enact section 772-A, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

With an amendment.

H. B. 348. An act to amend and re-enact section 2777, Carroll's Kentucky Statutes, edition of 1915, being section 15 of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

H. B. 221. An act to amend and re-enact section 3 of chapter 72 of the Acts of the General Assembly of 1916, relating to Fiscal Court in each county of the Commonwealth having therein a city of the first class; and authorizing the fiscal court in such county to appoint a clerk and a deputy and a stenographer and to fix their bonds, salaries and prescribe their duties.

H. B. 337. An act to amend an act entitled, "An act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding court thereof, providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-first and Twenty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in the other districts affected."

H. B. 199. An act regulating rates of toll allowed to be charged by all turnpike companies now operating in the State of Kentucky.

H. B. 396. An act imposing a tax on distilled spirits known as whisky or brandy or other species of spirits in this state now held in bonded warehouses or other places of safe-keeping by any person or firm, corporation or association in whose custody the above named spirits are possessed.

H. B. 343. An act to repeal an act entitled, an act for the improvement of the public highways of this Commonwealth, being chapter 169 of the Acts of 1918, relating to the removal of weeds, shrubs, etc., by the owners and controllers of lands abutting on the public highways.

H. B. 72. An act prohibiting combinations and pooling by bridge and highway contractors.

H. B. 115. An act to amend and re-enact section 4535h-1 Kentucky Statutes, Carroll's 1915 edition, 3rd volume, published in 1918, prescribing the qualifications of women voters in school elections for school officers and in all elections in which women are or may be entitled to vote.

H. B. 118. An act amending and re-enacting section 3677 and repealing section 3678, Carroll's Statutes, edition of 1915, relating to assessment and collection of taxes in cities of the sixth class.

H. B. 327. An act prescribing a method for the assessment of real estate for taxes after same has been sold for taxation and before it is redeemed.

H. B. 313. An act to amend and re-nact section 18, chapter 1, Acts of 1917, which is now section 4114i-18, Kentucky Statutes, relating to the duties of the State Tax Commission, and providing for a review of its acts by the courts.

H. B. 312. An act providing for the supervision and equalization of the assessment of property in a county in

cases where a county or any part thereof is re-assessed under the directions of the State Tax Commission.

Ordered, that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the orders of the day.

A message was received from the Senate announcing that that body had passed Senate Resolution No. 13. Resolution providing for the purchase of copies of the Legislative Digest, adopted at the session of 1918, as an official publication for the members of the General Assembly and certain officials.

Ordered, that said resolution lie over until to-morrow.

Also that the Senate had passed Senate Bill No. 90 of the following title:

"An act repealing sections 177, 178, 183, 185, 186 of the Common School Law, the same being sections 4501, 4502, 4502A-4, 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, relating to the certification of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

Said bill was referred to Committee on Education No. 1.

A leave of absence was granted to Messrs. Day, Stultz, Spillman, Minor, Winn and Dr. Travis.

Dr. Ryans moved that today's session be extended indefinitely.

Said motion was agreed to.

The following bills were delivered to the committees to which they had been referred, viz: House Bills Nos. 388, 393, 387, 382, 402, 401, 403, 417, 409, 416, 405, 350, 362, 419, 404, 410, 408, 411, 374, 407, 394, 406, 381, 386, 398, 397, 422, 414, 421, and Senate Bills Nos. 34, 24, 25, and 23.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 101. An act entitled an act to amend section 125c of the Kentucky Statutes, relating to a stenographer for Commonwealth's attorneys in counties of over 200,000 and providing for an increase in salary thereof.

Mr. Roth offered the following amendment, viz.:

Amend House Bill No. 101 by striking out "the salary of said stenographer shall be $1,500.00 per annum, payable out of the county levy, in equal monthly installments," and inserting the following: "The salary of said stenographer shall be not less than $1,200 per annum and not more than $1,500 per annum, to be fixed by the Commonwealth's attorney, with the approval of the fiscal court of said county, and payable out of the county levy in regular monthly installments."

Mr. Richardson moved that said bill and amendment be recommitted to the Committee on Municipalities, with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 191. An act empowering the boards of educations of graded school districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

Mr. Wash moved that said bill be recommitted to the Committee on Education No. 2 with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 124. An act to provide for the American creed to be read in schools.

Said bill reads as follows, viz.:

Whereas, it developed during the World War that many people in the United States, and many foreign born citizens, did not fully comprehend that allegiance which every American citizen owes to this country, and whereas, it is desirable that the children of this country should be taught some of the duties of citizenship, therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That it shall be the duty of all teachers of public schools in the State of Kentucky, at least once each month during the school year, to read aloud to the school children, the following creed:

THE AMERICAN CREED.

"I believe in the United States as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in

a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it; to support its institutions; to obey its laws; to respect its flag; and to defend it against all enemies."

Mr. Stites offered the following amendment, viz.:

Amend House Bill No. 124 by striking out the following words in lines 2 and 3, "at least once each month, during the school year, to read aloud to the school children," and insert in lieu thereof the following: "To require their pupils to memorize and to be at all times prepared to quote."

Said amendment was agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. T. Carner | Dr. W. L. Haynes |
| L. H. Ballard | J. F. Carr | A. R. Hudson |
| W. T. Beckham | B. L. Cox | Robt. Humphreys |
| S. M. Bennett | J. B. Denues | R. O. Huntsman |
| J. M. Billiter | Dr. W. L. Gossett | Henry Kaufman |
| Rodney G. Bryson | A. L. Hamilton | Griffin Kelly |

| | | |
|---|---|---|
| Dr. S. D. Laughlin | B. F. Reynolds | John L. Trumbo |
| Hebron Lawrence | J. L. Richardson | J. Wood Vance |
| Joseph Lazarus | Lee Rogers | Fred C. VanHoose |
| Elmer Lusby | B. A. Roth | Daniel Vose |
| R. C. Marcum | Dr. Lewis Ryans | Geo. C. Waggoner |
| I. S. Mason | W. P. Scott | A. M. Wash |
| A. J. McCandless | H. G. Skiles | J. S. Webb |
| R. L. McFerron | S. G. Smith | Gladstone Wesley |
| Homer C. McLellen | John T. E. Stites | W. G. Wheeler |
| Mack J. Morgan | John W. Swope | R. E. Wilborn |
| Estill W. Neel | J. Mack Thompson | Dr. W. S. Yazell |
| Chas. A. Nelson | J. H. Thompson | |
| T. C. Pryse | C. B. Truesdell | —55 |

Those who voted in the negative were—

| | | |
|---|---|---|
| H. C. Duffy | W. L. Kimbrough | —2 |

Resolved, that the title thereof be as aforesaid.

Mr. Cox moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 159. An act to repeal and re-enact section 2711, subsections a-5 and a-54, chapter 86, Carroll's 1915 edition, Kentucky Statutes, volume 3, being subsections 5 and 54 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled "An act to provide for the organization, armament, equipment, discipline and government of the militia."

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That subsection a-5, section 2711, and subsection a-54, section 2711, chapter 86, Kentucky Statutes, Carroll's edition, 1915, and being subsections 5 and 54 of an act entitled "An act to provide for the organization, armament, equipment, discipline and government of the militia," be, and the same is, hereby repealed and re-enacted to read as follows:

Section 2711, subsection a-5. The Adjutant General's Office—The personnel of the Adjutant General's office shall consist of one adjutant general who shall be the Adjutant General, and one adjutant general who shall be Assistant Adjutant General; one state supply officer who shall be in immediate charge of the state arsenal and all military property stored at Frankfort; all of whom shall have had at least five years' prior military service in the National Guard of Kentucky or in the U. S. Army; and all of whom shall be appointed by the Governor or detailed from the Kentucky National Guard; and such clerks as may be necessary, to be employed by the Adjutant General. The Adjutant General, the Assistant Adjutant General, and the State Supply Officer shall hold office at the pleasure of the Governor.

Section 2711, subsection a-54. Salaries and Compensation—How Paid.—The Adjutant General shall receive an annual salary of $3,000, the Assistant Adjutant General shall receive an annual salary of $2,000, and the State Supply Officer shall receive an annual salary of $1,500, to be paid in equal monthly installments out of the treasury. Compensation of other officers and employees on duty in the Adjutant General's office and at the state arsenal shall be fixed by the Adjutant General on the approval of the Governor.

New subsection. The Adjutant General, the Assistant Adjutant General, the State Supply Officer, and such officers of the Kentucky National Guard as the Governor may des-

ignate in orders shall constitute a board of officers, which board shall examine into and pass upon the qualifications of all applicants for clerical positions in the office of the Adjutant General and at the state arsenal, and no person shall be employed in the Adjutant General's office or at the State arsenal in a clerical capacity until such person has successfully passed a mental examination under such tests as may be prescribed in orders by the Governor.

The committee to which same had been referred offered the following substitute to said bill, viz.:

An act to repeal and re-enact section 2711, subsections a-5 and a-54, chapter 86, Carroll's 1915 edition, Kentucky Statutes, volume 3, being subsections 5 and 54 of chapter 43 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled "An act to provide for the organization, armament, equipment, discipline and government of the militia."

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That subsection a-5, section 2711, and subsection a-54, section 2711, chapter 86, Kentucky Statutes, Carroll's edition, 1915, volume 3, and being subsections 5 and 54 of chapter 43 of an act entitled, "An act to provide for the organization, armament, equipment, discipline and goverment of the militia," be, and the same is, hereby repealed and re-enacted to read as follows:

Section 2711, subsection a-5. The Adjutant General's Office. The personnel of the Adjutant General's Office shall consist of one Brigadier General, who shall be the Adjutant General, and one Major of the Adjutant General's Department who shall be Assistant Adjutant General; one State Supply Officer, who shall be in immediate charge of the state arsenal and all military property stored at Frankfort; each

of whom shall have had in the aggregate, at least five years prior military service in the National Guard of Kentucky, the United States Army or Marine Corps; the time credited for service in the United States Army or Marine Corps to be twice the time actually served therein; and all of whom shall be appointed by the Governor or detailed from the Kentucky National Guard; and such clerks as may be necssary, to be employed by the Adjutant General. The Adjutant General, Assistant Adjutant General and the State Supply Officer shall hold office at the pleasure of the Governor.

Section 2711, subsection a-54. Salaries and Compensation—How Paid. The Adjutant General shall receive an annual salary of $3,000, the Assistant Adjutant General shall receive an annual salary of $2,000, and the State Supply Officer shall receive an annual salary of $1,500, to be paid in equal monthly installments out of the Treasury. Compensation of other officers and employes on duty in the Adjutant General's Office and at the State Arsenal shall be fixed by the Adjutant General on the approval of the Governor.

New subsection. The Adjutant General, the Assistant Adjutant General, the State Supply Officer and such officers of the Kentucky National Guard as the Governor may designate in orders shall constitute a Board of Officers, which board shall examine into and pass upon the qualifications of all applicants for clerical positions in the office of the Adjutant General and at the State Arsenal, and no person shall be employed in the Adjutant General's Office or at the State Arsenal in a clerical capacity until such person has successfully passed a mental examination under such tests as may be prescribed in orders by the Governor.

Said substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | W. L. Kimbrough | S. G. Smith |
| L. H. Ballard | Dr. S. D. Laughlin | R. Lee Stewart |
| H. H. Barnes | Hebron Lawrence | John T. E. Stites |
| W. T. Beckham | Joseph Lazarus | John W. Swope |
| S. M. Bennett | Elmer Lusby | J. Mack Thompson |
| W. T. Carner | R. C. Marcum | J. H. Thompson |
| J. F. Carr | I. S. Mason | C. B. Truesdell |
| B. L. Cox | A. J. McCandless | John L. Trumbo |
| J. S. Cruse | R. L. McFerron | J. Wood Vance |
| H. N. Dean | Homer C. McLellen | Fred C. VanHoose |
| J. B. Denues | Mack J. Morgan | Daniel Vose |
| J. M. Foster | Estill W. Neel | Geo. C. Waggoner |
| Dr. T. H. Gamblin | T. P. Oliver | A. M. Wash |
| Dr. W. L. Haynes | T. C. Pryse | J. S. Webb |
| Talbert Holliday | B. F. Reynolds | Gladstone Wesley |
| A. R. Hudson | J. L. Richardson | W. G. Wheeler |
| Adam W. Huff | Sherman Robbins | R. E. Wilborn |
| Robt. Humphreys | B. A. Roth | V. M. Williamson |
| R. O. Huntsman | W. P. Scott | Dr. W. S. Yazell |
| Henry Kaufman | Dr. B. F. Shields | |
| Griffin Kelly | H. G. Skiles | —61 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | Chas. A. Nelson |

—3

Resolved, that the title thereof be as aforesaid.

Mr. Mason moved that the vote by which said bill was passsd be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Budget Commission transmitted to the House the following report accompanied by two bills, House Bills Nos. 434 and 435.

Said report reads as follows, viz.:

*The General Assembly of the Commonwealth of Kentucky*:

GENTLEMEN—We transmit herewith the report of the Budget Appropriation Commission, and also an appropriation bill covering the appropriations for the various departments, boards, commissions and agencies sustained in whole or in part by funds drawn from the State Treasury, exclusive of the legislative and judicial departments and common school system for the fiscal year ending June 30, 1921, and a similar bill covering the appropriations for the same departments for the fiscal year ending June 30, 1922.

An examination of the budget report submitted herewith discloses that we have estimated the probable revenue for the fiscal year ending June 30, 1921, derived from all sources at $12,200,000.00; the same report shows that we have estimated the expenditure necessary for the same period, to cover all the appropriations contained in the appropriation bill for the fiscal year ending June 30, 1921, inclusive of the expense of the judicial, the legislative and the common school departments, at $11,450,000.00, leaving a surplus of income over estimated expenditures of $750,000.00.

The same report shows that we have estimated the income from all sources for the fiscal year ending June 30, 1922, at $12,300,000,000. For the same period we have esti-

mated that the expenditures to cover all appropriations included in the appropriation bill for the fiscal year ending June 30, 1922, together with the expenditures necessary to meet the needs of the judicial, legislative and common school departments at $11,600,000.00, leaving a surplus of income over expenditures for the fiscal year ending June 30, 1922, of $700,000.00.

The budget report herewith submitted shows in tabulated form the receipts and expenditures of each of the departments, commissions, boards and agencies sustained in whole or in part out of said funds, exclusive of the judicial, legislative and common school departments for the two preceding fiscal years ending respectively June 30, 1918, and June 30, 1919. It also shows in tabulated form the requests submitted by each of the state departments, boards, commissions and agencies for appropriations to carry on their activities and meet the needs for repairs and permanent impovement for the two fiscal years ending June 30, 1921, and June 30, 1922, respectively.

This report also shows in tabulated form the recommendations made by this commission for appropriations for each of the departments for each of the fiscal years ending June 30, 1921, and June 30, 1922, respectviely. An examination of these tabulations will disclose the fact that the commission in many instances felt constrained to make recommendations of appropriations considerably less than the sum asked for by the various departments. In the main—the fact that our recommendations were less than the amounts asked for is not to be taken as an indication of our disapproval of the requests of the departments, but in view of the financial condition of the state, and the probable income for the two ensuing fiscal years, we felt that the interest of the state demanded that all except those appropriations that were absolutely necessary for the conduct of the various departments and the maintenance of the proper standard of efficiency should be eliminated in order to leave a substantial surplus to

be applied to the payment of the state debt. We found upon investigation of the state's financial condition that in many instances in the past money had been spent in excess of the state's revenues and in violation of the Constitution, in that appropriations and expenditures were made by the General Assembly with no corresponding provision for raising the revenue to meet them.

We recommend to the General Assembly that you make no appropriations other than those provided for and carried in the bills which we are herewith submitting, without making provision to raise the revenue to meet such appropriations. If this recommendation is not followed by the General Assembly there is no possibility of paying the existing state debt, but on the contrary, the debt will continue to grow.

We recognize the fact that there is a real need for a large expenditure of money in order to bring our charitable and penal institutions, our institutions of learning, our roads and highways to the standard to which a progressive people are entitled. To do this, however, would require a sum of money far in excess of the revenues now available, and if we are to embark in any extensive program of development and in making permanent improvements in view of the financial condition of the state, the matter should be submitted to the people for their approval.

We believe the appropriations we have recommended in the two bills submitted will take care of the immediate and pressing needs of all the state's agencies, and they are as large and as generous as the present financial condition of the state justifies. At any time the members of the Budget Appropriation Commission hold themselves in readiness to furnish to the General Assembly, and to its committees, any information desired, touching the various appropriations recommended in the two bills herewith submitted. In view of the change in the membership of the Budget Appropriation Commission, resulting from a change in the State's ad-

ministrative officers this commission has not had the time to give exhaustive study to the state's financial problems to which the subject is entitled, but in the limited time we have had to investigate the sources of income and methods of expenditures of the various state departments and agencies, we feel that the law creating the Budget Appropriation Commission will result in a more satisfactory system for the expenditure of the public funds, and will in the end justify the wisdom of the Legislature in providing this system.

Respectfully submitted,

BUDGET APPROPRIATION COMMISSION.

EDWIN P. MORROW,
*Governor of Kentucky*

JNO. J. CRAIG,
*Auditor of State*

J. A. SCOTT,
*Chairman of Tax Commission.*

February 16, 1920.

REPORT OF BUDGET APPROPRIATION COMMISSION.

The Budget Appropriation Commission presented to the General Assembly the following report, which was ordered to be printed and referred to the Committee on Appropriations, viz.:

The Budget Appropriation Commission herewith submits to the General Assembly its first biennial budget as required under the provisions of the Budget Appropriation Act of the General Assembly of 1918.

The financial condition of the State Treasury as of June 30, 1919, was as follows:

| | |
|---|---|
| Receipts in the State Treasury for the fiscal year ending June 30, 1919 | $12,324,620.93 |
| Disbursements for the same period | 11,248,629.90 |
| Excess of receipts over expenditures | 1,075,991.03 |
| Cash balance in treasury | 1,120,555.87 |
| Outsanding five per cent interest bearing warrants June 30, 1919 | 3,556,534.87 |

| | |
|---|---|
| The probable amount of revenue which will be received for the fiscal year ending June 30, 1921 | $12,200,000,00 |
| The approximate needs for revenue for the various appropriations covered by the Appropriation Bill, including the expenses of the judiciary, criminal prosecutions and other miscellaneous items which were not incluled in any specific appropriation for the fiscal year ending June 30, 1921 | $11,450,000.00 |
| The probable amount of revenue which will be received for the fiscal year ending June 30, 1922 | $12,300,000.00 |
| The approximate needs for revenue for the various appropriations covered by the Appropriation Bill, including the expense of the judiciary, legislative session and other miscellaneous items which are not specifically covered by any section, for the fiscal year ending June 30, 1922 | $11,600,000.00 |

The following tabulations of the various departments, commissions, institutions, agencies or boards show the receipts and expenditures for the last two fiscal years as reported to the Budget Appropriation Commission; the amount of requests for the fiscal year ending June 30, 1921, and the fiscal year ending June 30, 1922, together with the amounts recommended by the Budget Appropriation Commission to be appropriated to the various departments, commissions, institutions, agencies or boards for the fiscal year ending June 30, 1921, and the fiscal year ending June 30, 1922.

ADJUTANT GENERAL'S DEPARTM$NT

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $20,000.00 |
| Received from the Commonwealth not by specific appropriation | | 6,403.07 |
| Balance of military fund | | 4,932.97 |
| Total | | $31,336.04 |
| To expenditures as follows: | | |
| Salaries | $13,520.32 | |
| Traveling expenses, troops, &c. | 14,301.98 | |
| Total | $27,822.30 | |
| Balance on hand | | $3,513.74 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $20,000.00 |
| Received from the Commonwealth not by specific appropriation | 28,185.34 |
| Balance of military fund | 3,513.74 |
| Total | $51,699.08 |

| | | |
|---|---|---|
| To expenditures as follows: | | |
| Salaries | $12,199.65 | |
| Traveling expenses, troops, maintenance and operation | 25,817.29 | |
| Total | $38,016.94 | |
| Balance on hand | | $13,682.14 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Salaries, maintenance, operation and supplies | $35,000.00 |
| A fund to be used only in case of emergency | 50,000.00 |
| Total | $85,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Salaries, maintenance, operation and supplies | $35,000.00 |
| A fund to be used only in case of emergency | 50,000.00 |
| Total | $85,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Yead Ending June 30, 1921.

| | |
|---|---|
| (a) For the payment of salaries and clerical hire | $12,000.00 |
| (b) For the payment of traveling expenses, maintenance, operation, supplies, &c. | 15,000.00 |
| (c) For an emergency fund for the use of said department | 20,000.00 |
| Total | $47,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| (a) For the payment of salaries and clerical hire | $12,000.00 |
| (b) For the payment of traveling expenses, maintenance, operation, supplies, &c. | 15,000.00 |
| (c) For an emergency fund for the use of said department | 20,000.00 |
| Total | $47,000.00 |

ATTORNEY GENERAL'S DEPARTMENT

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $18,100.00 |
| Received from the Commonwealth not by specific appropriation | 24,424.81 |
| Total | $42,524.81 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $17,125.00 | |
| Amount which seems to have been spent for traveling expenses, printing, supplies, &c. (report fails to show amount spent for each item) | 25,399.81 | |
| Total | $42,524.81 | |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $18,100.00 |
| Received from the Commonwealth not by specific appropriation | 11,376.93 |
| Total | $29,476.93 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $17,300.00 | |
| Traveling expenses and special attorney fees | 10,307.64 | |
| Printing, stamps, supplies and miscellaneous | 1,314.14 | |
| Total | $29,476.93 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation of the department, including all salaries and traveling expenses, but eliminating the special attorney fees | $23,800.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation of the department, including all salaries and traveling expenses, but eliminating the special attorney fees | $23,800.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For all salaries, including stenographic hire | $18,800.00 |
| Traveling expenses | 500.00 |
| Printing, stamps and supplies | 750.00 |
| Total | $20,050.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For all salaries, including stenographic hire | $18,800.00 |
| Traveling expenses | 500.00 |
| Printing, stamps and supplies | 750.00 |
| Total | $20,050.00 |

AUDITOR OF PUBLIC ACCOUNTS.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $22,572.00 |
| Received from the Commonwealth not by specific appropriation | | 4,410.70 |
| Total | | $26,982.70 |
| To expenditures as follows: | | |
| Salaries | $24,023.30 | |
| Printing | 1,849.46 | |
| Stamps and supplies | 1,061.24 | |
| Total | $26,934.00 | |
| Balance of salary appropriation on hand | | 48.70 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $26,946.20 |
| Received from the Commonwealth not by specific appropriation | | 3,084.77 |
| Total | | $30,030.97 |
| To expenditures as follows: | | |
| Salaries | $26,946.20 | |
| Printing, stamps and supplies | 3,084.77 | |
| Total | $30,030.97 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For salaries, including heads of departments, maintenance and operation | $40,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| For salaries, including heads of departments, maintenance and operation | $40,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salary of Auditor, Assistant Auditor and all clerical hire | $35,000.00 |
| Printing, stamps and supplies | 4,000.00 |
| Total | $39,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salary of Auditor, Assistant Auditor and all clerical hire | $35,000.00 |
| Printing, stamps and supplies | 4,000.00 |
| Total | $39,000.00 |

AUTOMOBILE DEPARTMENT.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $34,741.04 |
| To expenditures as follows: | | |
| Salaries and expenses | $12,275.70 | |
| Printing, stamps and supplies | 4,481.20 | |
| License plates | 18,024.34 | |
| Total | $34,741.04 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $51,898.75 |
| To expenditures as follows: | | |
| Salaries and expenses | $20,066.00 | |
| Printing, stamps and supplies | 2,322.11 | |
| License plates | 29,510.64 | |
| Total | $51,898.75 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Salaries, maintenance and operation and all supplies, including license plates ..... $135,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Salaries, maintenance and operation and all supplies, including license plates ..... $135,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

Not to exceed one dollar for each motor vehicle registered.

For the Fiscal Year Ending June 30, 1922.

Not to exceed one dollar for each motor vehicle registered.

BANKING DEPARTMENT.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received fees from sundry banks | | $24,565.05 |
| To expenditures as follows: | | |
| Salaries | $16,578.29 | |
| Traveling expenses | 5,531.96 | |
| Printing | 560.94 | |
| Stamps, supplies, &c. | 959.88 | |
| Total | $23,631.07 | |
| Balance on hand | | $933.98 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received fees from sundry banks and building and loan associations | $30,424.90 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $19,881.00 | |
| Traveling expenses | 7,732.60 | |
| Printing | 563.99 | |
| Stamps, supplies, &c. | 470.00 | |
| Total | $29,093.90 | |
| Balance on hand | | $1,331.00 |

This department has failed to make a request for any specific allowance.

We recommend that you appropriate the following sums for the following purposes, out of fees to be collected from the banks and building and loan associations:

For the Fiscal Year Ending June 30, 1921.

For salaries, traveling expenses, printing, stamps and supplies ..... $35,000.00

For the Fiscal Year Ending June 30, 1922.

For salaries, traveling expenses, printing, stamps and supplies ..... $35,000.00

## STATE BOARD OF CONTROL

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation ..... $48,965.66

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $25,515.07 | |
| Traveling expenses | 5,485.74 | |
| Printing | 2,093.29 | |
| Postage | 330.00 | |
| Fire insurance | 14,780.16 | |
| Miscellaneous | 761.40 | |
| Total | $48,965.66 | |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth by appropriation ..... $37,463.98

To expenditures as follows:

| | |
|---|---|
| Salaries | $23,400.00 |
| Traveling expenses | 4,373.50 |
| Printing | 1,961.37 |
| Postage | 200.00 |
| Fire insurance | 6,934.00 |
| Miscellaneous | 595.11 |
| Total | $37,463.98 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation of the office of the Board of Control, including salaries &c. | $60,250.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation of the office of the Board of Control, including salaries, &c. | 60,250.00 |

WESTERN STATE HOSPITAL—HOPKINSVILLE.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $313,281.21 |
| To expenditures as follows: | | |
| Salaries | $57,010.13 | |
| Traveling expenses | 1,976.81 | |
| Postage | 202.95 | |
| Telephone and telegraph | 529.83 | |
| Maintenance of inmates, including fuel, lights, &c. | 253,561.49 | |
| Total | | $313,281.21 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $279,964.47 |
| To expenditures as follows: | | |
| Salaries | $65,340.20 | |
| Traveling expenses | 2,437.50 | |
| Postage | 217.20 | |
| Telephone and telegraph messages | 584.69 | |
| Maintenance of inmates, including fuel, lights, &c. | 211,384.88 | |
| Total | | $279,964.47 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $293,890.50 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| Maintenance and operation | $295,130.25 |
| An additional appropriation for deficit of | 46,515.90 |
| To build and equip tubercular hospital | 10,000.00 |
| Permanent improvements | 100,000.00 |
| Industrial building | 20,000.00 |

EASTERN STATE HOSPITAL—LEXINGTON.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth not by specific appropriation | | $225,735.94 |
| Received from pay patients' board | | 5,610.00 |
| Received from steward's cash sales | | 8,727.99 |
| Total | | $240,073.93 |
| Tc expenditures as follows: | | |
| Salaries and wages | $53,314.71 | |
| Traveling expenses | 251.93 | |
| Postage | 245.36 | |
| Maintenance of inmates, including fuel, lights, &c. | 186,334.79 | |
| Permanent improvements and miscellaneous | 29,706.05 | |
| Total | $269,852.84 | |
| Deficit | | $29,778.91 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth not by specific appropriation | | $252,728.02 |
| Received from pay patients' board | | 8,095.00 |
| Received from steward's cash sales | | 13,435.72 |
| Total | | $274,258.74 |
| To expenditures as follows: | | |
| Salaries and wages | $58,621.15 | |
| Traveling expenses | 237.14 | |
| Postage | 174.92 | |
| Maintenance of inmates, including fuel, lights, &c. | 186,841.38 | |
| Miscellaneous of all kinds | 30,272.57 | |
| Total | $276,147.16 | |
| Deficit | | $1,888.42 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Per capita of $228.00, which would amount to about | $302,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Per capita of $228.00, which would amount to about | $302,000.00 |
| Special appropriation for improvements | $137,186.37 |

CENTRAL STATE HOSPITAL—LAKELAND.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $60,464.16 |
| Received from the Commonwealth not by specific appropriation | | 278,289.09 |
| Received from cash sales | | 12,274.22 |
| Received from pay patients | | 9,571.70 |
| Received from insurance companies—T. B. | | 13,271.67 |
| Total | | $373,870.84 |
| To expenditures as follows: | | |
| Salaries | $63,614.94 | |
| Postage | 294.00 | |
| Maintenance of inmates | 168,738.81 | |
| Miscellaneous of all kinds | 141,223.09 | |
| Total | $373,870.84 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth not by specific appropriation | | $314,418.34 |
| Received from cash sales | | 16,799.56 |
| Received from pay patients (unaccrued board) | | 11.332.26 |
| Total | | $342,550.16 |
| To expenditures as follows: | | |
| Salaries | $74,243.85 | |
| Postage | 274.00 | |
| Maintenance of inmates, including fuel, lights, &c. | 229,898.40 | |
| Miscellaneous of all kinds | 11,865.63 | |
| Total | $316,281.88 | |
| Balance | | $26,268.28 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $400,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $400,000.00 |

FEEBLE-MINDED INSTITUTE—FRANKFORT.

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $7,500.00 |
| Received from the Commonwealth not by specific appropriation | 60,238.38 |
| Received from C. S., E. S. and W. S. Hospitals | 19,873.11 |
| Received from cash sales and pay patients | 2,552.19 |
| Total | $90,163.68 |

| | | |
|---|---|---|
| To expenditures as follows: | | |
| Salaries | $15,296.95 | |
| Traveling expenses | 105.03 | |
| Maintenance of inmates, including fuel, light, &c. | 54,440.51 | |
| Postage | 115.20 | |
| Permanent improvements, supplies and miscellaneous | 20,096.03 | |
| Total | $90,053.72 | |
| Balance | | 109.63 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $7,500.00 |
| Received from the Commonwealth not by specific appropriation | | 73,973.32 |
| Received from Western State Hospital | | 940.05 |
| Received from cash sales, &c. | | 2,073.84 |
| Total | | $84,487.21 |
| To expenditures as follows: | | |
| Salaries | $18,935.34 | |
| Postage | 141.35 | |
| Traveling expenses | 60.11 | |
| Maintenance inmates, including fuel, lights, &c. | 52,797.73 | |
| Motor truck | 3,881.35 | |
| Permanent improvements and miscellaneous | 17,537.14 | |
| Total | 93,353.02 | |
| Deficit | | $8,865.81 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $120,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $125,000.00 |

KENTUCKY HOUSES OF REFORM—GREENDALE.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $191,253.11 |
| To expenditures as follows: | | |
| Salaries | $36,499.54 | |
| Traveling expenses | 559.54 | |
| Printing | 28.30 | |
| Postage | 545.36 | |
| Miscellaneous | 703.11 | |
| Maintenance of inmates, &c. | 152,917.26 | |
| Total | $191,253.11 | |

For the Fiscal Year Ending June 30, 1919

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $189,020.73 |
| Received from cash sales | | 13,943.89 |
| Total | | $202,964.62 |
| To expenditures as follows: | | |
| Salaries | $41,918.92 | |
| Traveling expenses | 713.01 | |
| Printing | 96.69 | |
| Postage, &c. | 555.87 | |
| Permanent improvements | 211.82 | |
| Maintenance inmates | 159,478.31 | |
| Total | $202,964.62 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $233,436.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $233,436.00 |
| Special appropriation for permanent improvements | 210,000.00 |

STATE SCHOOL OF REFORM FOR GIRLS—PINE BLUFF FARM.

For the Fiscal Year Ending December 31, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth | | $4,665.94 |
| To expenditures as follows: | | |
| Salaries | $2,080.65 | |
| Traveling expenses | 28.06 | |
| Maintenance of inmates | 2,142.73 | |
| Permanent improvements | 414.50 | |
| Total | $4,665.94 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $30,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $30,000.00 |
| Special appropriation for permanent improvements | $250,000.00 |

KENTUCKY STATE REFORMATORY—FRANKFORT.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $376,166.32 |
| To expenditures as follows: | | |
| Salaries | $69,407.58 | |
| Maintenance of inmates, including fuel, lights, &c. | 278,741.05 | |
| Permanent improvements | 28,017.69 | |
| Total | $376,166.32 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $355,249.45 |
| To expenditures as follows: | | |
| Salaries | $73,017.62 | |
| Maintenance of inmates, including fuel, lights, &c. | 256,150.48 | |
| Permanent improvements | 26,081.35 | |
| Total | $355,249.45 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $365,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $365,000.00 |
| Special appropriation | 30,000.00 |

KENTUCKY PENITENTIARY—EDDYVILLE.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $181,921.08 |
| To expenditures as follows: | | |
| Salaries | $52,212.57 | |
| Traveling expenses | 194.89 | |
| Maintenance of inmates, &c. | 121,344.75 | |
| Permanent improvements | 8,168.87 | |
| Total | $181,921.08 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $176,196.92 |
| To expenditures as follows: | | |
| Salaries | $59,463.09 | |
| Traveling expenses | 170.00 | |
| Maintenance of inmates, &c. | 106,276.73 | |
| Permanent improvements | 10,287.10 | |
| Total | $176,196.92 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operation | $170,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $170,000.00 |
| Special appropriation | 11,000.00 |

CONVICT LABOR ON PUBLIC HIGHWAYS.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $20,911.65 |
| To expenditures as follows: | | |
| Salaries | $6,737.13 | |
| Traveling expenses | 457.11 | |
| Supplies, &c. | 5,712.95 | |
| Total | $12,907.19 | |
| Balance on hand | | $8,004.46 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $25,744.10 |
| To expenditures as follows: | | |
| Salaries | $15,817.14 | |
| Traveling expenses | 473.56 | |
| Supplies, &c. | 9,819.19 | |
| Total | $26,109.89 | |
| Deficit | | $365.79 |

No request made for this department.

| | |
|---|---|
| The outgoing members of the State Board of Control request for the eight state institutions under their supervision and control for all expenses incident to the maintenance and operation of the same for the fiscal year ending June 30 1921 | $2,021,082.40 |
| For permanent improvements | 767,186.37 |
| And for the fiscal year ending June 30, 1922, for all expenses incident to the maintenance and operation of the eight institutions | 1,980,566.25 |
| The present Board of Control requests for the said eight institutions under their supervision and control for the fiscal year ending June 30, 1921, first for a special appropriation covering the deficit as of January 5, 1920 | $206,581.68 |
| For permanent improvements | 2,806,000.00 |
| For all expenses incident to the maintenance and operation | 2,250,936.00 |
| Total | $5,263,517.68 |

We recommend that you appropriate the following sums for the following purposes:

To pay the deficit existing on the 5th day of January in the conduct of said institutions under the said State Board of Control ..... $206,581.68

For the purpose of paying salaries, clerical hire, traveling expenses, printing, stamps and necessary supplies for said Board of Control and the cost of operation, maintenance, improvements, repairs and all operating expenses for the fiscal year ending June 30, 1921, for the State Reformatory at Frankfort, State Penitentiary at Eddyville, Western State Hospital for the Insane at Hopkinsville, Central State Hospital for the Insane at Lakeland, Eastern State Hospital for the Insane at Lexington, Feeble-Minded Institute at Frankfort and the Houses of Reform at Greendale and Pine Bluff Farm the sum of ..... 1,996,688.00

For the purpose of paying salaries, clerical hire, traveling expenses, printing, stamps and necessary supplies for said Board of Control and the cost of operation, maintenance, improvements, repairs and all operating expenses for the fiscal year ending June 30, 1922, for the State Reformatory at Frankfort, State Penitentiary at Eddyville, Western State Hospital for the Insane at Hopkinsville, Central State Hospital for the Insane at Lakeland, Eastern State Hospital for the Insane at Lexington, Feeble-Minded Institute at Frankfort and the Houses of Reform at Greendale and Pine Bluff Farm the sum of 1,996,688.00

BOARD OF ELECTION COMMISSIONERS.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth not by specific appropriation $351.00

To expenditures as follows:

| | |
|---|---|
| Salaries | $310.00 |
| Printing | 20.00 |
| Stamps and supplies | 21.00 |
| Total | $351.00 |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth not by specific appropriation $338.00

To expenditures as follows:

| | |
|---|---|
| Salaries | $295.00 |
| Printing | 23.00 |
| Stamps and supplies | 20.00 |
| Total | $338.00 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Salaries, maintenance and operation ..... $350.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Salaries, maintenance and operation ..... $350.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For salaries, printing, stamps and supplies ..... $350.00

For the Fiscal Year Ending June 30, 1922.

For salaries, printing, stamps and supplies ..... $350.00

BOARD OF HEALTH.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth not by specific appropriation $23,990.68
To expenditures as follows:

| | |
|---|---|
| Salaries | $18,303.50 |
| Traveling expenses | 2,492.87 |
| Printing | 26.33 |
| Permanent improvements, furniture and equipment | 1,684.95 |
| Fuel, lights and other miscellaneous | 6,482.97 |
| Total | $28,990.68 |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth not by specific appropriation $45,892.44
To expenditures as follows:

| | |
|---|---|
| Salaries | $24,285.65 |
| Traveling expenses | 5,427.54 |
| Printing | 136.50 |
| Stamps, freight, &c. | 3,437.44 |
| Repairs and renewals | 4,941.43 |
| Permanent improvements | 767.04 |
| Fuel, lights and miscellaneous | 6,896.84 |
| Total | $45,892.44 |

BOARD OF HEALTH.

**Tuberculosis Commission.**

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $1,456.22 |
| To expenditures as follows: | | |
| Salaries | $1,020.00 | |
| Traveling expenses | 319.85 | |
| Printing | 43.40 | |
| Stamps, supplies, &c. | 72.97 | |
| Total | $1,456.22 | |

BOARD OF HEALTH.

**Kentucky Agricultural Experiment Station.**

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $14,150.00 |
| Received from hotels and restaurants | | 4,500.00 |
| Total | | $18,650.00 |
| To expenditures as follows: | | |
| Salaries | $9,015.50 | |
| Traveling expenses | 100.15 | |
| Laboratory | 1,393.41 | |
| Stamps, supplies, telephone, telegraph | 117.25 | |
| Miscellaneous of all kinds | 544.47 | |
| Total | $11,170.78 | |
| Balance on hand | | $7,479.22 |

BOARD OF HEALTH.

**Pure Food and Drug Commission.**

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $7,093.22 |
| To expenditures as follows: | | |
| Salaries | $4,422.14 | |
| Traveling expenses | 2,377.47 | |
| Miscellaneous | 115.06 | |
| Furniture and equipment | 178.55 | |
| Total | $7,093.22 | |

BOARD OF HEALTH.

**Hotel Inspector's Department.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from hotels and restaurants | | $5,988.67 |
| To expenditures as follows: | | |
| Salaries | $4,433.22 | |
| Traveling expenses | 964.00 | |
| Printing | 1.75 | |
| Stamps and supplies | 60.00 | |
| Telephone and telegraph accounts | 14.62 | |
| Total | $5,473.59 | |
| Balance on hand | | $515.08 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $2,536.15 |
| To expenditures as follows: | | |
| Salaries | $1,728.86 | |
| Traveling expenses | 605.19 | |
| Stamps and supplies | 202.10 | |
| Total | $2,536.15 | |

BOARD OF HEALTH.

**Bureau of Vital Statistics.**

There is no report for this department, but we are informed that the expenses of the same were paid by the Federal Government.

The request for all the departments under the Board of Health for the fiscal year ending June 30, 1921, is as follows:

For salaries, maintenance, operation and supplies ..... $198,685.58

The request for all the departments under the Board of Health for the fiscal year ending June 30, 1922, is as follows:

For salaries, maintenance, operation and supplies ..... $198,685.58

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| (a) For the purpose of paying salaries, clerical hire, traveling expenses, printing, stamps, supplies and all other operating expenses | $76,300.00 |
| (b) For payment to the public health laboratories at the Kentucky Experiment Station | 18,000.00 |
| (c) For the prevention of venereal diseases | 27,000.00 |
| (d) For the prevention and treatment of trachoma | 13,700.00 |
| Total | $135,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | | |
|---|---|---|
| (a) | For the purpose of paying salaries, clerical hire, traveling expenses, printing, stamps, supplies and all other operating expenses | $76,300.00 |
| (b) | For payment to the public health laboratories at the Kentucky Experiment Station | 18,000.00 |
| (c) | For the prevention of venereal diseases | 27,000.00 |
| (d) | For the prevention and treatment of trachoma | 13,700.00 |
| | Total | $135,000.00 |

BUDGET APPROPRIATION COMMISSION.

This commission was created by an act of the General Assembly of 1918, and there was no appropriation allowed. The expense of printing blanks has been charged to the account of public offices, and the work has been carried on by the employes of other state departments. It will not be necessary for any appropriation to be made for this department for the fiscal year ending June 30, 1921.

We recommend that you appropriate for the fiscal year ending June 30, 1922, the following:

For the payment of clerical hire, printing, stamps and supplies the sum of ..... $500.00

COMMISSIONER OF AGRICULTURE, LABOR AND STATISTICS

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $34,327.38 |
| To expenditures as follows: | | |
| Salaries | $19,374.06 | |
| Traveling expenses | 4,103.16 | |
| Freight, express, &c. | 3,094.52 | |
| Field and office equipment, &c. | 6,835.65 | |
| Total | $33,407.39 | |
| Balance | | $919.99 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $41,119.99 |
| To expenditures as follows: | | |
| Salaries | $22,510.94 | |
| Traveling expenses | 5,625.48 | |
| Office equipment, supplies, &c. | 12,110.33 | |
| Total | $40,246.75 | |
| Balance | | $873.24 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Salaries, maintenance, operation, &c. | $50,000.00 |
| Special appropriation for farmers' institutes and conferences | 10,000.00 |
| Total | $60,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Salaries, maintenance, operation, &c. | $50,000.00 |
| Special appropriation for farmers' institutes and conferences | 10,000.00 |
| Total | $60,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For the purpose of paying all salaries and clerical hire | $11,700.00 |
| For all other purposes itemized in Appropriation Bill | 43,300.00 |
| Total | $55,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For the purpose of paying all salaries and clerical hire | $11,700.00 |
| For all other purposes itemized in Appropriation Bill | 43,300.00 |
| Total | $55,000.00 |

STATE BOARD OF AGRICULTURE

For the Kentucky State Fair.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth for maintenance | | $10,000.00 |
| Received from the Commonwealth for premiums | | 15,000.00 |
| Received from admissions, concessions, &c | | 85,864.53 |
| Total | | $110,864.53 |
| To expenditures as follows: | | |
| Office salaries | $4,974.96 | |
| Salaries and wages at State Fair Grounds | 5,034.74 | |
| Salaries of members of board | 480.00 | |
| Temporary salaries | 12,384.26 | |
| Traveling expenses | 2,419.71 | |
| Miscellaneous of all kinds | 79,714.55 | |
| Total | $105,008.22 | |
| Balance on hand | | $5,856.31 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth for maintenance | | $10,000.00 |
| Received from the Commonwealth for premiums | | 15,000.00 |
| Received from admissions, concessions, &c. | | 118,634.62 |
| Total | | $143,634.62 |
| To expenditures as follows: | | |
| Officers salaries | $5,695.80 | |
| Traveling expenses | 1,720.12 | |
| Salaries and wages State Fair Grounds | 16,565.57 | |
| Temporary salaries | 5,871.70 | |
| Salaries of members of Board | 80.00 | |
| Miscellaneous of all kinds | 103,774.54 | |
| Total | $133,707.73 | |
| Balance on hand | | $9,926.89 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Premiums | $15,000.00 |
| Maintenance and operation | 25,000.00 |
| Bonding property for improvements | 500,000.00 |
| Total | $540,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Premiums | $15,000.00 |
| Maintenance and operation | 25,000.00 |
| Total | $40,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salaries, traveling expenses, maintenance and operation | $10,000.00 |
| For premiums for Kentucky State Fair | 15,000.00 |
| For the purpose of meeting other necessary expenses for the conduct of the Kentucky State Fair, including additional premiums, all sums that may be realized from concessions, admissions, advertising and sundry fees. | |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salaries, traveling expenses, maintenance and operation | $10,000.00 |
| For premiums for Kentucky State Fair | 15,000.00 |
| For the purpose of meeting other necessary expenses for the conduct of the Kentucky State Fair, including additional premiums, all sums that may be realized from concessions, admissions, advertising and sundry fees. | |

CONFEDERATE PENSIONS DEPARTMENT

For Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $339,587.38 |
| To expenditures as follows: | | |
| Salaries | $4,600.00 | |
| Pensions | 332,885.38 | |
| Printing | 1,153.00 | |
| Stamps and supplies | 855.00 | |
| Furniture and equipment | 94.00 | |
| Total | | $339,587.38 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $370.498.78 |
| To expenditures as follows: | | |
| Salaries | $4,600.00 | |
| Pensions | 363.924.93 | |
| Printing, stamps, supplies and miscellaneous | 1,973.85 | |
| Total | | $370,498.78 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Salaries, maintenance and operation and pensions | $367,500.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Salaries, maintenance and operation and pensions | $362,500.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| Salaries, maintenance and operation | $6,500.00 |
| Pensions | 361,000.00 |
| Total | $367,500.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| Salaries, maintenance and operation | $6,500.00 |
| Pensions | 356,000.00 |
| Total | $362,500.00 |

KENTUCKY CONFEDERATE HOME.

We find that in examining the report of this institution that the fiscal year ending June 30, 1918, and the fiscal year ending June 30, 1919 have been included in one report.

For the two Fiscal Years Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $104,106.60 |
| To expenditures as follows: | | |
| Salaries | $29,100.00 | |
| Fuel, lights and all other expenses | 75,006.60 | |
| Total | $104,106.60 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Salaries, maintenance and operation | $63,580.00 |
| For permanent improvements, furniture, fixtures and hospital supplies | 2,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Salaries, maintenance and operation | $62,500.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| Salaries | $14,550.00 |
| Fuel, lights and all other expenses of maintenance and operation | 37,450.00 |
| Furniture, fixtures and hospital supplies | 1,000.00 |
| Total | $53,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| Salaries | $14,550.00 |
| Fuel, lights and all other expenses of maintenance and operation | 37,450.00 |
| Furniture, fixtures and hospital supplies | 1,000.00 |
| Total | $53,000.00 |

CUSTODIAN OF PUBLIC BUILDINGS

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $67,231.26 |
| To expenditures as follows: | | |
| Salaries | $21,710.59 | |
| Repairs, renewals, supplies and all other expenses | 45,520.67 | |
| Total | $67,231.26 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $54,022.05 |
| To expenditures as follows: | | |
| Salaries | $21,705.58 | |
| Repairs, renewals, supplies and all other expenses | 32,316.47 | |
| Total | $54,022.05 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For repairs, renewals, supplies and salaries | $156,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| For repairs, renewals, supplies and salaries | $156,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salaries | $23,000.00 |
| For repairs to all state buildings, including the old Capitol building, on the grounds of both the old and new Capitol buildings, the Mansion and the grounds around same | 60,000.00 |
| Total | $83,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salaries | $23,000.00 |
| For repairs to all state buildings, including the old Capitol building, on the grounds of both the old and new Capitol buildings, the Mansion and the grounds around same | 60,000.00 |
| Total | $83,000.00 |

DEPARTMENT OF GEOLOGY AND FORESTRY.

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $24,493.32 |
| To expenditures as follows: | | |
| Salaries | $20,000.00 | |
| Traveling expenses | 3,623.38 | |
| Printing, stamps and supplies | 869.94 | |
| Total | $24,493.32 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Salaries, maintenance and operation ..... $50,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Salaries, maintenance and operation ..... $50,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For the payment of all salaries, including clerical help, traveling expenses, printing, stamps and supplies, and all other expense of maintenance and operation..... $25,000.00

For the Fiscal Year Ending June 30, 1922.

For the payment of all salaries, including clerical help, traveling expenses, printing, stamps and supplies, and all other expense of maintenance and operation..... $25,000.00

## DEPARTMENT OF MINES.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation..... $12,677.20

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $9,383.94 | |
| Traveling expenses | 3,057.18 | |
| Printing | 56.08 | |
| Stamps and supplies | 180.00 | |
| Total | | $12,677.20 |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth by appropriation ..... $22,318.00

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $17,456.00 | |
| Traveling expenses | 4,462.00 | |
| Printing | 100.00 | |
| Stamps and supplies | 190.00 | |
| Permanent improvements | 110.00 | |
| Total | | $22,318.00 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $25,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $25,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30 1921.

| | |
|---|---|
| For the payment of salaries and clerical hire | $18,000.00 |
| For the payment of traveling expenses allowed by law | 5,000.00 |
| Printing, stamps, supplies and other cost of maintenance and operation | 800.00 |
| Total | $23,800.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For the payment of salaries and clerical hire | $18,000.00 |
| For the payment of traveling expenses allowed by law | 5,000.00 |
| Printing, stamps, supplies and other cost of maintenance and operation | 800.00 |
| Total | $23,800.00 |

DEPARTMENT OF PUBLIC ROADS.

**Special Fund.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $25,000.00 |
| To expenditures as follows: | | |
| Salaries | $16,077.01 | |
| Traveling expenses | 1,420.62 | |
| Printing | 1,074.48 | |
| Postage | 1,008.27 | |
| Miscellaneous | 5,488.25 | |
| Total | $25,068.63 | |
| Deficit | | $68.63 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $25,000.00 |
| To expenditures as follows: | | |
| Salaries | $16,871.65 | |
| Traveling expenses | 1,216.10 | |
| Printing | 1,256.47 | |
| Postage | 329.00 | |
| Miscellaneous | 5,326.78 | |
| Total | $25,000.00 | |

DEPARTMENT OF PUBLIC ROADS.

**General Fund.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $838,842.58 |
| To expenditures as follows: | | |
| Salaries | $81,784.44 | |
| Traveling expenses | 18,269.63 | |
| Convict road operations | 97,498.26 | |
| State road machinery | 31,651.34 | |
| Paid counties on state aid roads | 609,638.91 | |
| Total | $838,842.58 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $956,654.75 |
| To expenditures as follows: | | |
| Salaries | $99,420.84 | |
| Traveling expenses | 17,636.25 | |
| Convict road operations | 125,041.63 | |
| State road machinery | 30,602.03 | |
| Paid counties on state aid roads | 683,954.00 | |
| Total | $956,654.75 | |

The total request for this department for the fiscal year ending June 30, 1921, applies only to the expense of operation as follows:

| | |
|---|---|
| Division engineers | $65,000.00 |
| Location and plans | 60,000.00 |
| Inspection and supervision | 75,000.00 |
| Total | $200,000.00 |

The total request for this department for the fiscal year ending June 30, 1922, applies only to the expense of operation as follows:

| | |
|---|---|
| Division engineers | $65,000.00 |
| Location and plans | 60,000.00 |
| Inspection and supervision | 75,000.00 |
| Total | $200,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| An appropriation covering the expense of the main office of the Road Department, the cost incurred by the division engineers, for the location and plans, supervision and inspection of the roads of | $250,000.00 |

For the Fiscal Year Ending June 30, 1922.

An appropriation covering the expense of the main office of the Road Department, the cost incurred by the division engineers, for the location and plans, supervision and inspection of the roads of ..... $250,000.00

EASTERN KENTUCKY STATE NORMAL SCHOOL—RICHMOND.

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $75,000.00 |
| Received from balance from previous year | 10,991.50 |
| Received from room rent, tuition, &c. | 15,948.48 |
| Total | $101,938.98 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries, wages, &c. | $47,956.50 | |
| Printing | 612.42 | |
| Stamps and supplies | 720.00 | |
| Permanent improvements | 32,824.77 | |
| Fuel, lights and miscellaneous | 19,825.29 | |
| Total | | $101,938.98 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $97,727.03 |
| Received from room rent, tuition, &c | 15,057.18 |
| Total | $112,784.21 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries, wages, &c | $56,609.18 | |
| Printing | 782.68 | |
| Stamps and supplies | 534.45 | |
| Permanent improvements | 31,745.92 | |
| Fuel, lights and miscellaneous | 23,111.98 | |
| Total | | $112,784.21 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Five-eighths of one cent on each $100.00 of taxable property of the Commonwealth.

For permanent improvements ..... $300,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Five-eighths of one cent on each $100.00 of taxable property of the Commonwealth.

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For the purpose of constructing dormitories and the equipment of same ..... $75,000.00

For the purpose of paying the salaries, traveling expenses, printing, stamps, supplies and all other expense of maintenance and operation of said institution, five-eighths of one cent on each $100.00 of taxable property now on the assessment roll, or which may hereafter be placed on the assessment roll.

For the Fiscal Year Ending June 30, 1922.

For the purpose of constructing dormitories and the equipment of same ..... $75,000.00

For the purpose of paying the salaries, traveling expenses, printing, stamps, supplies and all other expense of maintenance and operation of said institution, five-eighths of one cent on each $100.00 of taxable property now on the assessment roll, or which may hereafter be placed on the assessment roll.

WESTERN KENTUCKY STATE NORMAL SCHOOL—BOWLING GREEN

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation, including room rent, tuition, &c | | $90,669.08 |
| To expenditures as follows: | | |
| Salaries | $69,076.34 | |
| Traveling expenses | 694.41 | |
| Printing | 2,350.30 | |
| Stamps and supplies | 2,476.36 | |
| Permanent improvements | 2,233.52 | |
| Fuel, lights, &c | 13,838.15 | |
| Total | $90,669.08 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation, including room rent, tuition, &c. | | $102,123.58 |
| To expenditures as follows: | | |
| Salaries | $75,008.86 | |
| Traveling expenses | 986.16 | |
| Printing | 1,206.81 | |
| Stamps and supplies | 1,323.07 | |
| Permanent improvements | 757.67 | |
| Fuel, light, &c. | 30,827.77 | |
| Total | $94,236.92 | |
| Balance on hand | | $7,986.66 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Five-eighths of one cent on each $100.00 of taxable property in the state.

Permanent improvements ..... $300,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Five-eighths of one cent on each $100.00 of taxable property in the state.

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

Construction of dormitories ..... $75,000.00

For the purpose of paying salaries, traveling expenses, cost of printing, stamps, supplies and all other cost of maintenance and operation of said institution, five-eighths of one cent on each $100.00 of taxable property in the state.

For the Fiscal Year Ending June 30, 1922.

Construction of dormitories ..... $75,000.00

For the purpose of paying salaries, traveling expenses, cost of printing, stamps, supplies and all other cost of maintenance and operation of said institution, five-eighths of one cent on each $100.00 of taxable property in the state.

CHIEF EXECUTIVE DEPARTMENT.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $16,112.07 |
| To expenditures as follows: | | |
| Salaries | $12,283.60 | |
| Contingent fund | 1,242.23 | |
| Printing | 816.60 | |
| Stamps and supplies | 280.00 | |
| Telephone and telegraph accounts | 1,181.22 | |
| Miscellaneous | 308.42 | |
| Total | $16,112.07 | |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $6,500.00 |
| Received from the Commonwealth not by specific appropriation | 9,711.10 |
| Total | $16,211.10 |

| | | |
|---|---|---|
| To expenditures as follows: | | |
| Salaries | $12,432.07 | |
| Contingent fund | 2,229.66 | |
| Printing | 105.21 | |
| Stamps and supplies | 280.00 | |
| Telephone and telegraph accounts | 873.43 | |
| Miscellaneous | 290.73 | |
| Total | $16,211.10 | |

We have no specific request from this department.

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | | |
|---|---|---|
| (a) | For salary of the Governor, private secretary, stenographic help and other employees | $12,070.00 |
| (b) | Contingent fund now allowed by law | 3,000.00 |
| (c) | For printing, stamps, office supplies, maintenance and operation of the department | 1,900.00 |
| | Total | $16,970.00 |

For the Fiscal Year Ending June 30, 1922.

| | | |
|---|---|---|
| (a) | For salary of the Governor, private secretary, stenographic help and other employees | $12,070.00 |
| (b) | Contingent fund now allowed by law | 3,000.00 |
| (c) | For printing, stamps, office supplies, maintenance and operation of the department | 1,900.00 |
| | Total | $16,970.00 |

STATE FIRE MARSHAL

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the fire tax fund one-half of one per cent on premiums of fire insurance companies | | $33,608.96 |
| To expenditures as follows: | | |
| Salaries including traveling expenses | $24,357.28 | |
| Printing | 184.24 | |
| Stamps, supplies, &c. | 881.37 | |
| Total | $25,422.89 | |
| Balance on hand | | $8,186.07 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the fire tax fund | $48,379.22 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $21,141.93 | |
| Traveling expenses | 7,753.81 | |
| Printing and miscellaneous | 1,458.49 | |
| Stamps and supplies | 258.70 | |
| Total | $30,613.93 | |
| Balance on hand | | $17,765.29 |

We have no specific request from this department.

We recommend that you appropriate the following:

For the Fiscal Year Ending June 30, 1921.

All moneys now authorized by law for the use of this department.

For the Fiscal Year Ending June 30, 1922.:

All moneys now authorized by law for the use of this department.

## GAME AND FISH COMMISSION

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by balance, 1917 | | $18,455.56 |
| Received from license fund | | 43,198.66 |
| Total | | $61,654.22 |
| To expenditures as follows: | | |
| Salaries | $24,967.06 | |
| Traveling expenses | 7,978.84 | |
| Printing | 1,618.21 | |
| Stamps and supplies | 456.00 | |
| Rewards | 1,994.13 | |
| Miscellaneous | 10,920.14 | |
| Total | $47,934.38 | |
| Balance on hand | | $13,719.84 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the balance on hand 1918 | | $13,719.84 |
| Received from license fund | | 37,927.91 |
| Total | | $51,647.75 |
| To expenditures as follows: | | |
| Salaries | $22,045.33 | |
| Traveling expenses | 6,355.97 | |
| Printing | 1,175.04 | |
| Stamps and supplies | 224.78 | |
| Rewards | 1,822.62 | |
| Miscellaneous | 7,571.26 | |
| Total | $39,195.10 | |
| Balance on hand | | $12,452,65 |

We have no request for a specific appropriation for this department. We recommend that you appropriate the following:

For the Fiscal Year Ending June 30, 1921.

All the fees now allowed and to be collected under the law, or that may hereafter be allowed by law, for the benefit of said department.

For the Fiscal Year Ending June 30, 1922.

All the fees now allowed and to be collected under the law, or that may hereafter be allowed by law, for the benefit of said department.

KENTUCKY HISTORICAL SOCIETY.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $4,983.13 |
| Received from 1917 balance | | 40.00 |
| Received from subscriptions | | 134.00 |
| Total | | $5,157.13 |
| To expenditures as follows: | | |
| Salaries | $3,273.75 | |
| Printing | 1,016.55 | |
| Stamps, supplies, etc. | 782.83 | |
| Total | $5,073.13 | |
| Balance | | $84.00 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $5,222.65 |
| To expenditures as follows: | | |
| Salaries | $3,455.00 | |
| Printing | 970.00 | |
| Stamps, supplies, &c. | 668.19 | |
| Total | $5,093.19 | |
| Balance | | $129.46 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

Salaries, maintenance and operation ..... $5,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

Salaries, maintenance and operation ..... $5,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

Salaries and all other expenses ..... $3,000.00

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| Salaries and all other expenses | $3,000.00 |

HOME FOR INCURABLES.

We find from an examination of this report that the two fiscal years ending June 30, 1918, and June 30, 1919, have been put into one report.

For the two Fiscal Years Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation $10,000.00 for each of the two years | | $20,000.00 |
| Received from Welfare League | | 5,788.48 |
| Received from King's Daughters, &c. | | 5,810.62 |
| Received from 1917 balance | | 208.19 |
| Total | | $31,807.29 |
| To expenditures as follows: | | |
| Salaries | $6,376.44 | |
| Traveling expenses | 62.82 | |
| Miscellaneous of all kinds | 25,327.02 | |
| Total | $31,766.28 | |
| Balance | | $41.01 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $25,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| For all purposes | $15,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salaries and all other expenses | $10,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salaries and all other expenses | $10,000.00 |

INSURANCE DEPARTMENT.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from fees | | $55,033.38 |
| To expenditures as follows: | | |
| Salaries | $18,358.68 | |
| Traveling expenses | 5,713.97 | |
| Printing | 3,099.37 | |
| Postage | 571.06 | |
| Miscellaneous | 692.25 | |
| Total | $28,436.33 | |
| Balance on hand | | $26,597.05 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from fees | | $58,391.62 |
| To expenditures as follows: | | |
| Salaries | $18,600.00 | |
| Traveling expenses | 4,961.10 | |
| Printing | 3,202.14 | |
| Postage | 500.00 | |
| Miscellaneous | 779.32 | |
| Total | $28,042.56 | |
| Balance on hand | | $30,349.06 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $28,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $28,000.00

We recommend that you appropriate the following:

For the Fiscal Year Ending June 30, 1921.

All the fees and collections to which said department is now entitled by law, or to which it may hereafter be entitled by law.

For the Fiscal Year Ending June 30, 1922.

All the fees and collections to which said department is now entitled by law, or to which it may hereafter be entitled by law.

## INSURANCE RATING BOARD.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from fees | | $26,951.64 |
| To expenditures as follows: | | |
| Salaries | $20,489.20 | |
| Traveling expenses | 2,978.38 | |
| Printing | 305.06 | |
| Stamps and supplies | 800.50 | |
| Miscellaneous | 1,471.89 | |
| Total | $26,045.03 | |
| Balance | | $906.61 |

For the Fiscal Year Ending June 30, 1919.

Received from fees ..... $32,072.33

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $17,417.50 | |
| Traveling expenses | 3,336.87 | |
| Printing | 357.70 | |
| Stamps and supplies | 600.00 | |
| Miscellaneous | 1,904.31 | |
| Total | $23,616.38 | |
| Balance | | $8,455.95 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $26,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $26,000.00

We recommend that you appropriate the following:

For the Fiscal Yead Ending June 30 1921.

All sums now collected by said department from insurance companies as now provided by law, or that may be hereafter provided by law.

For the Fiscal Year Ending June 30, 1922.

All sums now collected by said department from insurance companies as now provided by law, or that may be hereafter provided by law.

## KENTUCKY CHILDREN'S HOME SOCIETY.

### For White Children.

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $50,000.00 |
| Received from membership fees | $4,868.97 |
| Received from donations from Sunday schools, churches | 959.05 |
| Received from county appropriations and miscellaneous | 7,207.77 |
| Total | $63,035.79 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $26,404.54 | |
| Traveling expenses | 4,130.04 | |
| Printing | 345.23 | |
| Stamps and supplies | 200.00 | |
| Fuel, lights and miscellaneous | 35,583.70 | |
| Total | $66,663.51 | |
| Deficit | | $3,627.72 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $49,998.50 |
| Received from Welfare League | | 5,000.00 |
| Received from county appropriations | | 11,484.50 |
| Received from miscellaneous sources | | 10,597.48 |
| Total | | $77,080.48 |
| To expenditures as follows: | | |
| Salaries | $30,655.31 | |
| Traveling expenses | 5,090.46 | |
| Fuel, lights and miscellaneous of all kinds | 40,229.25 | |
| Total | $75,975.02 | |
| Balance on hand | | $1,105.46 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $100,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $100,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For the purpose of paying all salaries and all other expenses incident to the operation and maintenance of said department ..... $50,000.00

For the Fiscal Year Ending June 30, 1922.

For the purpose of paying all salaries and all other expenses incident to the operation and maintenance of said department ..... $50,000.00

## KENTUCKY CHILDREN'S HOME SOCIETY.

### For Colored Children.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $9,408.20 |
| To expenditures as follows: | | |
| Salaries | $1,111.62 | |
| Maintenance and operation | 7,429.05 | |
| Total | $8,540.67 | |
| Balance | | 867.53 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $10,000.00 |
| Received from donations | | 1,927.68 |
| Total | | $11,927.68 |
| To expenditures as follows: | | |
| Salaries | $1,412.93 | |
| Traveling expenses | 129.49 | |
| Maintenance and operation | 9,523.09 | |
| Total | $11,065.51 | |
| Balance on hand | | 862.17 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $15,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $15,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For salaries and all other expenses incident to maintenance and operation ..... $10,000.00

For the Fiscal Year Ending June 30, 1922.

For salaries and all other expenses incident to maintenance and operation ..... $10,000.00

## KENTUCKY NORMAL AND INDUSTRIAL INSTITUTE.

### For Colored Persons.

We find only one report for the fiscal year ending June 30 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $21,000.00 |
| Received from the Federal Government | | 15,865.26 |
| Received from fees for board and agricultural products and other fees | | 21,250.72 |
| Total | | $58,115.98 |
| To expenditures as follows: | | |
| Salaries | $23,732.06 | |
| Printing | 316.02 | |
| Fuel, lights and other expenses | 36,893.31 | |
| Total | $60,941.39 | |
| Deficit | | $2,825.41 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| Maintenance and operations | $34,000.00 |
| Repairs, renewals and permanent improvements | 186,020.00 |
| Total | $220,020.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

| | |
|---|---|
| Maintenance and operation | $45,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30 1921.

| | |
|---|---|
| Salaries and all expenses incident to the maintenance and operation | $21,000.00 |
| Permanent improvements | 25,000.00 |
| Total | $46,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| Salaries and all expenses incident to the maintenance and operation | $21,000.00 |
| Permanent improvements | 25,000.00 |
| Total | $46,000.00 |

KENTUCKY LIBRARY COMMISSION.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $6,000.00 |
| To expenditures as follows: | | |
| Salaries | $3,610.00 | |
| Traveling expenses | 162.57 | |
| Printing, books and miscellaneous | 2,227.43 | |
| Total | $6,000.00 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $6,000.00 |
| To expenditures as follows: | | |
| Salaries | $3,757.00 | |
| Traveling expenses | 343.20 | |
| Printing, books and miscellaneous items | 1,899.80 | |
| Total | $6,000.00 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $12,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $12,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For salaries and all other expenses now allowed by law..... $7,500.00

For the Fiscal Year Ending June 30, 1922.

For salaries and all other expenses now allowed by law..... $7,500.00

LIEUTENANT-GOVERNOR

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation ..... $1,375.60

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $1,293.60 | |
| Traveling expenses | 42.00 | |
| Stationery | 40.00 | |
| Total | | $1,375.60 |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth by appropriation ..... $338.20

To expenditures as follows:

| | |
|---|---|
| Salary as Acting Governor | $338.20 |

We have no request for any specific appropriation for this department.

We recommend that you appropriate the following sums for the following purposes.

For the Fiscal Year Ending June 30, 1921.

Salaries, traveling expenses and other expenses now allowed by law ..... $400.00

For the Fiscal Year Ending June 30, 1922.

Salaries, traveling expenses and other expenses now allowed by law ..... $1,400.00

RAILROAD COMMISSION.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation..... $20,732.44

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $13,932.80 | |
| Traveling expenses | 1,411.16 | |
| Printing | 4,603.03 | |
| Stamps and supplies | 604.75 | |
| Miscellaneous | 180.70 | |
| Total | | $20,732.44 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $25,411.55 |
| To expenditures as follows: | | |
| Salaries | $13,935.00 | |
| Traveling expenses | 1,842.18 | |
| Printing, books, maps and reports | 9,267.33 | |
| Stamps and supplies | 367.04 | |
| Total | $25,411.55 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $21,220.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $22,420.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30 1921.

For salaries, traveling expenses, printing, stamps, office supplies and all other expenses ..... $21,250.00

For the Fiscal Year Ending June 30 1922.

For salaries, traveling expenses, printing, stamps, office supplies and all other expenses ..... $21,250.00

## KENTUCKY SCHOOL FOR THE BLIND

### For White Persons.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $21,333.33 |
| Received from the Commonwealth not by specific appropriation | | 14,291.66 |
| Received from miscellaneous sources | | 359.47 |
| Total | | $35,984.46 |
| To expenditures as follows: | | |
| Salaries | $17,093.20 | |
| Traveling expenses | 440.13 | |
| Fuel, lights and all other operating expenses | 19,616.84 | |
| Total | $37,150.17 | |
| Deficit | | $1,165.70 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $28,000.00 |
| Received from the Commonwealth not by specific appropriation | 12,460.00 |
| Received from miscellaneous sources | 171.97 |
| Total | $40,631.97 |

| | | |
|---|---|---|
| To expenditures as follows: | | |
| Salaries | $19,326.40 | |
| Traveling expenses | 506.18 | |
| Fuel, lights and all other expenses | 20,341.07 | |
| Total | $40,173.65 | |
| Balance on hand | | $458.32 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $52,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $55,000.00

## KENTUCKY SCHOOL FOR THE BLIND.

### For Colored Persons.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $3,166.66 |
| Received from the Commonwealth not by specific appropriation | | 3,243.34 |
| Total | | $6,410.00 |
| To expenditures as follows: | | |
| Salaries | $2,481.00 | |
| Traveling expenses | 58.26 | |
| Fuel, lights and other expenses | 2,705.04 | |
| Total | $5,244.30 | |
| Balance | | $1,165.70 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $4,000.00 |
| Received from the Commonwealth not by specific appropriation | | 2,310.00 |
| Total | | $6,310.00 |
| To expenditures as follows: | | |
| Salaries | $2,571.25 | |
| Traveling expenses | 33.88 | |
| Fuel, lights and other expenses | 4,163.19 | |
| Total | $6,768.32 | |
| Deficit | | 458.32 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $9,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $8,000.00

KENTUCKY WORKSHOP FOR THE ADULT BLIND.

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $14,000.00 |
| To expenditures as follows: | | |
| Salaries | $4,427.02 | |
| Traveling expenses | 163.91 | |
| Miscellaneous of all kinds | 9,409.07 | |
| Total | $14,000.00 | |

The request for this department for the fiscal year ending June 30, 1921:

For all purposes ..... $20,000.00

The request for this department for the fiscal year ending June 30, 1922:

For all purposes ..... $18,000.00

We recommend that you appropriate the following sum for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salary of the superintendent and for all other expenses incident to the operation and maintenance of the Kentucky School for the Blind for White Persons as now provided by law | $40,000.00 |
| For all expenses incident to the operation and maintenance of the Kentucky School for the Blind for Colored Persons | 6,500.00 |
| For the education and vocational training of the Kentucky Workshop for Adult Blind | 14,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salary of the superintendent and for all other expenses incident to the operation and maintenance of the Kentucky School for the Blind for White Persons as now provided by law | $40,000.00 |
| For all expenses incident to the operation and maintenance of the Kentucky School for the Blind for Colored Persons | 6,500.00 |
| For the education and vocational training of the Kentucky Workshop for Adult Blind | 14,000.00 |

KENTUCKY SCHOOL FOR THE DEAF AND DUMB.

**White Department.**

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $76,189.70 |
| Received from the sale of merchandise | 3,024.65 |
| Total | $79,214.35 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $42,671.88 | |
| Traveling expenses | 547.93 | |
| Miscellaneous of all kinds | 35,994,54 | |
| Total | $79,214.35 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $84,941.74 |
| Received from the sale of merchandise | | 2,750.56 |
| Total | | $87,692.30 |
| To expenditures as follows: | | |
| Salaries | $45,488.16 | |
| Traveling expenses | 410.29 | |
| Miscellaneous of all kinds | 41,644.77 | |
| Total | $87,543.22 | |
| Balance | | $149.08 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $103,000.00

The request for this department for the fiscal year ending June 30 1922, is as follows

For all purposes ..... $102,000.00

## KENTUCKY SCHOOL FOR THE DEAF AND DUMB.

### Colored Department.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $6,678.00 |
| To expenditures as follows: | | |
| Salaries | $3,593.18 | |
| Miscellaneous of all kinds | 3,084.82 | |
| Total | $6,678.00 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $7,795.88 |
| Received from the sale of merchandise | | 114.45 |
| Total | | $7,910.33 |
| To expenditures as follows: | | |
| Salaries | $3,227.41 | |
| Traveling expenses | 50.70 | |
| Miscellaneous of all kinds | 4,632.22 | |
| Total | $7,910.33 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $8,500.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $8,700.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30 1921.

For salaries and all other expenses incident to the maintenance and operation of the Kentucky School for the Deaf and Dumb, white department ..... $90,000.00

For salaries and all other expenses incident to the maintenance and operation of the Kentucky School for the Deaf and Dumb, colored department ..... 8,500.00

For the Fiscal Year Ending June 30, 1922.

For salaries and all other expenses incident to the maintenance and operation of the Kentucky School for the Deaf and Dumb, white department ..... 90,000.00

For salaries and all other expenses incident to the maintenance and operation of the Kentucky School for the Deaf and Dumb, colored department ..... 8,500.00

SECRETARY OF STATE.

For the Fiscal Year Ending June 30, 1918.

| | |
|---|---|
| Received from the Commonwealth by appropriation ..... | $10,000.00 |
| Received from the Commonwealth not by specific appropriation | 2,435.87 |
| Received salary of Secretary and Assistant Secretary ..... | 5,800.00 |
| Total ..... | $18,235.87 |

To expenditures as follows:

| | |
|---|---|
| Salaries ..... | $15,800.00 |
| Printing ..... | 1,275.87 |
| Postage and miscellaneous..... | 1,160.00 |
| Total ..... | $18,235.87 |

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Rceived from the Commonwealth by appropriation ..... | $14,788.38 |
| Received from the Commonwealth not by specific appropriation | 2,941.89 |
| Total ..... | $17,730.27 |

To expenditures as follows:

| | |
|---|---|
| Salaries | $14,788.38 |
| Printing | 1,541.89 |
| Porter and miscellaneous items | 1,400.00 |
| Total | $17,730.27 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $16,000.00 to $18,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $16,000.00 to $18,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For salaries and all other purposes ..... $18,300.00

For the Fiscal Year Ending June 30, 1922.

For salaries and all other purposes ..... $18,300.00

## STATE INSPECTOR AND EXAMINER.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation ..... $13,674.12

To expenditures as follows:

| | |
|---|---|
| Salaries | $11,050.66 |
| Traveling expenses | 2,219.93 |
| Printing | 117.08 |
| Postage | 133.45 |
| Miscellaneous | 153.00 |
| Total | $13,674.12 |

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth by appropriation ..... $11,766.93

To expenditures as follows:

| | |
|---|---|
| Salaries | $9,079.76 |
| Traveling expenses | 2,090.47 |
| Printing | 213.50 |
| Postage | 120.00 |
| Miscellaneous | 163.20 |
| Total | $11,766.93 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $15,850.00

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $15,850.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For all purposes ..... $15,850.00

For the Fiscal Year Ending June 30, 1922.

For all purposes ..... $15,850.00

STATE LIBRARIAN.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $6,300.00 |
| Received from the Commonwealth not by specific appropriation | | 3,082.34 |
| Total | | $9,382.34 |
| To expenditures as follows: | | |
| Salaries | $6,300.00 | |
| Law library, books, &c. | 2,250.54 | |
| Printing, stationery, &c. | 640.10 | |
| Miscellaneous | 191.70 | |
| Total | $9,382.34 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $6,300.00 |
| Received from the Commonwealth not by specific appropriation | | 3,108.95 |
| Total | | $9,408.95 |
| To expenditures as follows: | | |
| Salaries | $6,300.00 | |
| Law library, books, &c. | 2,625.44 | |
| Printing, stationery, &c. | 483.51 | |
| Total | $9,408.95 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $15,000.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $15,000.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For the purpose of paying all salaries, printing, books, stamps, office supplies and all other expenses | $9,500.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For the purpose of paying all salaries, printing, books, stamps, office supplies and all other expenses | $9,500.00 |

STATE LIVE STOCK SANITARY BOARD.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $7,881.08 |
| Received from the Commonwealth not by specific appropriation | | 4,462.89 |
| Received from license fees | | 301.25 |
| Total | | $12,645.22 |
| To expenditures as follows: | | |
| Salaries | $5,927.40 | |
| Traveling expenses | 2,478.80 | |
| Printing and stationery | 435.09 | |
| Postage, telephones, &c. | 659.35 | |
| Miscellaneous of all kinds | 1,794.24 | |
| Total | $11,294.88 | |
| Balance | | $1,350.34 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $28,190.00 |
| Received from license fees, &c. | | 637.28 |
| Total | | $28,827.28 |
| To expenditures as follows: | | |
| Salaries | $16,523.11 | |
| Traveling expenses | 6,205.69 | |
| Printing and stationery | 636.61 | |
| Postage, freight, express, &c. | 872.12 | |
| Office and field equipment, &c. | 2,454.00 | |
| Total | $26,791.53 | |
| Balance on hand | | $2,035.75 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $40,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For all purposes | $45,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses..... $28,000.00

For the Fiscal Year Ending June 30, 1922.

For the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses..... $28,000.00

STATE RACING COMMISSION.

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation ..... $1,200.00

To expenditures as follows:

Salary ..... $1,200.00

For the Fiscal Year Ending June 30, 1919.

Received from the Commonwealth by appropriation ..... $1,200.00

To expenditures as follows:

Salary ..... $1,200.00

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $1,200.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $1,200.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

Salary of the Secretary of the Racing Commission..... $1,200.00

For the Fiscal Year Ending June 30, 1922.

Salary of the Secretary of the Racing Commission..... $1,200.00

SUPERINTENDENT OF PUBLIC PRINTING

For the Fiscal Year Ending June 30, 1918.

Received from the Commonwealth by appropriation ..... $1,977.09

To expenditures as follows:

| | |
|---|---|
| Salaries | $1,500.00 |
| Traveling expenses | 282.65 |
| Printing | 21.74 |
| Postage | 52.20 |
| Telephone | 120.50 |
| Total | $1,977.09 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $2,174.69 |
| To expenditures as follows: | | |
| Salaries | $1,500.00 | |
| Traveling expenses | 359.31 | |
| Printing | 132.85 | |
| Postage | 59.07 | |
| Telephones | 123.46 | |
| Total | $2,174.69 | |

We have no request for a specific appropriation for this department.

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For all purposes | $2,250.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For all purposes | $2,250.00 |

STATE TAX COMMISSION.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $73,390.93 |
| To expenditures as follows: | | |
| Salaries | $36,350.41 | |
| Traveling expenses | 946.30 | |
| Printing, stamps, supplies and office fixtures | 36,094.22 | |
| Total | $73,390.93 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $77,645.99 |
| To expenditures as follows: | | |
| Salaries | $49,847.84 | |
| Traveling expenses | 3,445.43 | |
| Printing, stamps, supplies and all miscellaneous | 24,352.72 | |
| Total | $77,645.99 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $82,100.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For all purposes | $82,100.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For salaries, including clerical hire, traveling expenses, printing, stamps, office supplies and other expenses incident to the operation and maintenance of the said department | $80,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For salaries, including clerical hire, traveling expenses, printing, stamps, office supplies and other expenses incident to the operation and maintenance of the said department | $80,000.00 |

STATE BOARD OF EXAMINERS OF TRAINED NURSES

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from fees | | $1,348.80 |
| To expenditures as follows: | | |
| Salaries and traveling expenses | $2,366.75 | |
| Printing | 103.00 | |
| Stamps and supplies | 75.00 | |
| Miscellaneous | 12.35 | |
| Total | $2,557.10 | |
| Deficit | | $708.30 |

From June 30, 1919, to January 1, 1920.

| | | |
|---|---|---|
| Received from fees | | $1,886.00 |
| Balance of fees on hand | | 3,512.70 |
| Total | | $5,398.70 |
| To expenditures as follows: | | |
| Salaries | $1,278.66 | |
| Printing | 81.37 | |
| Stamps and supplies | 34.00 | |
| Total | $1,394.03 | |
| Balance on hand | | $4,004.67 |

We have no request from this department.

We recommend that you appropriate the following:

For the Fiscal Year Ending June 30, 1921.

For the purpose of paying the cost of maintenance and operation of said board, all fees and other collections collected for the use and benefit of said board.

For the Fiscal Year Ending June 30, 1922.

For the purpose of paying the cost of maintenance and operation of said board, all fees and other collections collected for the use and benefit of said board.

STATE TREASURY.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $10,200.00 |
| Received from the Commonwealth not by specific appropriation | | 848.59 |
| Total | | $11,048.59 |
| To expenditures as follows: | | |
| Salaries | $9,586.70 | |
| Printing | 473.05 | |
| Stamps and supplies, &c. | 988.84 | |
| Total | $11,048.59 | |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $10,200.00 |
| Received from the Commonwealth not by specific appropriation | | 1,015.71 |
| Total | | $11,215.71 |
| To expenditures as follows: | | |
| Salaries | $9,787.00 | |
| Printing | 894.71 | |
| Stamps, supplies and miscellaneous | 534.00 | |
| Total | $11,215.71 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

For all purposes ..... $13,250.00

The request for this department for the fiscal year ending June 30, 1922, is as follows

For all purposes ..... $13,250.00

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

For all purposes ..... $13,250.00

For the Fiscal Year Ending June 30, 1922.

For all purposes ..... $13,250.00

STATE BOARD FOR VOCATIONAL EDUCATION.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $2,500.00 |
| Received from the Federal Government | | 36,634.04 |
| Total | | $51,627.04 |
| To expenditures as follows: | | |
| Salaries | $218.75 | |
| Paid U. of Ky. and K. N. & I. I. | 8,070.55 | |
| Amount expended of Federal appropriation | 14,716.72 | |
| Total | $23,006.02 | |
| Balance | | $28,621.02 |

The report shows that this balance reverted to the state and federal governments.

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $2,500.00 |
| Received for teacher training | | 17,491.00 |
| Received from Federal appropriation | | 70,769.31 |
| Total | | $90,760.31 |
| To expenditures as follows: | | |
| Salaries | $1,684.00 | |
| Traveling expenses | 56.70 | |
| Paid U. of Ky. and K. N. & I. I. | 9,503.31 | |
| Expended of Federal appropriation | 33,189.89 | |
| Total | $44,433.90 | |
| Balance | | $46,326.41 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $32,480.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For all purposes | $32,480.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For the use of the Vocational Education Board to carry on teacher training instruction in accordance with the Federal Act | $24,987.00 |
| For the purpose of paying for the inspection and supervision of courses in school as provided in chapter 7, subsection 3 of the Acts of 1918 | 2,500.00 |
| Total | $27,487.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For the use of the Vocational Education Board to carry on teacher training instruction in accordance with the Federal Act | $24,987.00 |
| For the purpose of paying for the inspection and supervision of courses in school as provided in chapter 7, subsection 3 of the Acts of 1918 | 2,500.00 |
| Total | $27,487.00 |

WESTERN KENTUCKY INDUSTRIAL COLLEGE

We find only one report for this department.

For the Fiscal Year Ending June 30, 1919.

| | |
|---|---|
| Received from the Commonwealth by appropriation | $8,000.00 |
| Received from subscriptions | 1,644.50 |
| Received from boarding students | 3,375.00 |
| Received from amount loaned from bank | 3,504.99 |
| Total | $16,524.49 |

To expenditures as follows:

| | | |
|---|---|---|
| Salaries | $3,150.00 | |
| Traveling expenses | 188.72 | |
| Miscellaneous of all kinds | 7,450.47 | |
| Permanent improvements | 5,735.30 | |
| Total | $16,524.49 | |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For maintenance and operation | $5,000.00 |
| For permanent improvements and deficit | 23,804.99 |
| Total | $28,804.99 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For maintenance and operation | $5,000.00 |

We recommend that you appropriate the following sums for the following purposes:

For the Fiscal Year Ending June 30, 1921.

| | |
|---|---|
| For maintenance and operation | $3,000.00 |
| For permanent improvements | 5,000.00 |

For the Fiscal Year Ending June 30, 1922.

| | |
|---|---|
| For maintenance and operation | $3,000.00 |
| For permanent improvements | 5,000.00 |

UNIVERSITY OF KENTUCKY.

**Division of Colleges.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by mill tax | | $92,000.00 |
| Received from the Commonwealth not by specific appropriation | | 57,980.84 |
| Received from U. S. Government | | 42,750.00 |
| Received from Federal Vocational Education Board | | 12,671.66 |
| Received from Patterson Hall board and other fees | | 38,380.35 |
| Total | | $243,782.85 |
| To expenditures as follows: | | |
| Salaries | $151,991.84 | |
| Traveling expenses | 2,887.77 | |
| Printing | 3,057.23 | |
| Stamps and supplies | 2,001.07 | |
| Permanent improvements and upkeep | 32,915.02 | |
| Equipment and miscellaneous | 52,395.68 | |
| Total | $245,248.61 | |
| Deficit | | $1,465.76 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by mill tax | | $299,696.64 |
| Received from U. S. Government | | 42,750.00 |
| Received from Federal and State Vocational Boards | | 11,779.01 |
| Received from Patterson Hall and other fees | | 30,175.93 |
| Received from miscellaneous | | 13,740.49 |
| Total | | $398,142.07 |
| To expenditures as follows: | | |
| Salaries | $238,673.22 | |
| Traveling expenses | 4,164.39 | |
| Printing | 2,344.45 | |
| Stamps and supplies | 3,967.07 | |
| Permanent improvements and repairs | 158,354.97 | |
| Miscellaneous | 67,608.25 | |
| Total | $475,112.35 | |
| Deficit | | $76,970.25 |
| Less amount charged to Student Army Training Camp | | 42,585.42 |
| Actual deficit | | 34,384.86 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $700,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For all purposes | $750,000.00 |

UNIVERSITY OF KENTUCKY.

**Extension Division.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $20,235.13 |
| Received from the U. S. Government Smith-Lever Fund | | 61,304.63 |
| Total | | $81,539.76 |
| To expenditures as follows: | | |
| Salaries | $54,223.85 | |
| Traveling expenses | 16,939.28 | |
| Printing | 1,410.59 | |
| Stamps and supplies | 1,557.54 | |
| Permanent improvements and repairs | 3,424.25 | |
| Miscellaneous of all kinds | 3,591.31 | |
| Total | $81,146.82 | |
| Balance | | 392.94 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $37,556.24 |
| Received from U. S. Government appropriation | | 79,102.79 |
| Total | | $116,659.03 |
| To expenditures as follows: | | |
| Salaries | $76,370.65 | |
| Traveling expenses | 18,866.43 | |
| Printing | 2,530.15 | |
| Stamps and supplies | 2,195.99 | |
| Permanent improvements and repairs | 1,498.24 | |
| Miscellaneous | 3,649.54 | |
| Total | $105,111.00 | |
| Balance | | $11,548.03 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $106,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows

| | |
|---|---|
| For all purposes | $126,000.00 |

UNIVERSITY OF KENTUCKY.

**Experiment Station.**

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $80,643.38 |
| Received from fertilizer, fees, feed, farm, sales, serum and miscellaneous | | 148,301.41 |
| Received from U. S. Government Hatch Federal appropriation | | 15,000.00 |
| Received from U. S. Government, Adams Federal appropriation | | 15,000.00 |
| Total | | $258,944.79 |
| To expenditures as follows: | | |
| Salaries and farm labor | $134,659.16 | |
| Traveling expenses | 9,218.69 | |
| Printing | 7,416.33 | |
| Stamps and supplies | 2,403.85 | |
| Permanent improvements | 8,577.15 | |
| Fuel, serum, live stock feed and miscellaneous | 65,817.79 | |
| Total | $228,092.97 | |
| Balance | | $30,851.82 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from the Commonwealth by appropriation | | $50,000.00 |
| Received from the Board of Health | | 17,160.00 |
| Received from U. S. Government, Hatch Fund | | 15,000.00 |
| Received from U. S. Government Adams Fund | | 15,000.00 |
| Received from fertilizer fees, feed, farm, serum, sales and miscellaneous | | 179,677.71 |
| Total | | $276,837.71 |
| To expenditures as follows: | | |
| Salaries and farm labor | $111,730.73 | |
| Traveling expenses | 5,850.46 | |
| Printing | 5,600.16 | |
| Stamps and supplies | 2,320.58 | |
| Permanent improvements and repairs | 28,246.55 | |
| Fuel, serum, live stock, feed and miscellaneous | 109,749.44 | |
| Total | $263,497.92 | |
| Balance | | $13,339.79 |

The request for this department for the fiscal year ending June 30, 1921, is as follows:

| | |
|---|---|
| For all purposes | $50,000.00 |

The request for this department for the fiscal year ending June 30, 1922, is as follows:

For all purposes ..... $50,000.00

We recommend that you appropriate for the use and benefit of the University of Kentucky the following sums:

For the Fiscal Year Ending June 30, 1921.

For the purpose of paying salaries and all other expenses of maintenance and operation of the Division of Colleges of the University of Kentucky in the manner now authorized by law, all the tax of 1¾ cents on each $100.00 of taxable property in the Commonwealth as now allowed and authorized by law.

For the purpose of paying for the cost of maintenance and operation of the Experiment Station of the University of Kentucky ..... $50,000.00

For the purpose of paying the cost of maintenance and operation of the Extension Division of the University of Kentucky, in the manner now allowed by law ..... 108,958.00

For the purpose of buying engineering equipment ..... 30,000.00

For agricultural instruction ..... 30,000.00

For the construction of a dormitory for the Division of Colleges of the University of Kentucky ..... 75,000.00

For the Fiscal Year Ending June 30, 1922.

For the purpose of paying salaries and all other expenses of maintenance and operation of the Division of Colleges of the University of Kentucky in the manner now authorized by law, all the tax of 1¾ cents on each $100.00 of taxable property in the Commonwealth as now allowed and authorized by law.

For the purpose of paying for the cost of maintenance and operation of the Experiment Station of the University of Kentucky ..... 50,000.00

For the purpose of paying the cost of maintenance and operation of the Extension Division of the University of Kentucky, in the manner now allowed by law..... 126,528.00

For the purpose of buying engineering equipment ..... 30,000.00

For agricultural instruction ..... 30,000.00

For the construction of a dormitory for the Division of Colleges of the University of Kentucky ..... 75,000.00

WORKMEN'S COMPENSATION BOARD.

For the Fiscal Year Ending June 30, 1918.

| | | |
|---|---|---|
| Received from own risk employers and tax on insurance premiums | | $46,052.88 |
| To expenditures as follows: | | |
| Salaries | $20,867.05 | |
| Traveling expenses | 1,974.73 | |
| Printing | 644.46 | |
| Postage | 760.00 | |
| Miscellaneous | 1,779.04 | |
| Total | $26,025.28 | |
| Balance on hand | | $20,027.60 |

For the Fiscal Year Ending June 30, 1919.

| | | |
|---|---|---|
| Received from balance on hand | | $20,027.60 |
| Received from own risk employers and tax on insurance premiums | | 86,564.93 |
| Total | | $106,592.53 |
| To expenditures as follows: | | |
| Salaries | $26,438.44 | |
| Traveling expenses | 1,718.59 | |
| Printing | 1,086.52 | |
| Postage | 1,112.06 | |
| Miscellaneous | 2,032.32 | |
| Total | $32,387.93 | |
| Balance on hand | | $74,204.60 |

We have no request for a specific appropriation from this department.

We recommend that you appropriate the following:

For the Fiscal Year Ending June 30, 1921.

For the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses of the operation and maintenance of said board as now provided by law, or as may hereafter be provided by law, all the funds now collected by law, or that may hereafter be collected by law, for the benefit of said department.

For the Fiscal Year Ending June 30, 1922.

For the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses of the operation and maintenance of said board as now provided by law, or as may hereafter be provided by law, all the funds now collected by law, or that may hereafter be collected by law, for the benefit of said department.

SINKING FUND COMMISSION.

We recommend that you appropriate for the use of the Sinking Fund Commissioners for the fiscal year ending June 30, 1921, one (1) cent on each $100.00 of taxable property in the Commonwealth, to be used by said Commissioners for the purposes now authorized by law, or that may hereafter be authorized by law.

We recommend that you appropriate for the use of the Sinking Fund Commissioners for the fiscal year ending June 30, 1922, one (1) cent on each $100.00 of taxable property in the Commonwealth, to be used by said Commissioners for the purposes now authorized by law, or that may hereafter be authorized by law.

KENTUCKY INSTITUTE FOR FEEBLE-MINDED CHILDREN.

The Farm Colony for the Feeble-Minded.

Whereas, it appears that the Board of Control has taken an option for the purchase of a farm known as the Mastin Place consisting of 465 acres, at an agreed price of $59,000.00, to be used for the colonization of the feeble-minded, we recommend that you appropriate the sum of $59,000.00 for the State Board of Control to be used for the purpose herein stated.

VISITING COUNTY NURSES.

Chapter 51 of the Acts of 1918 provides that the state shall appropriate not to exceed twenty-five ($25.00) dollars per month for each visiting county nurse only when the county has provided for the remainder of the salary.

We have no report from the visiting nurses except the one made by the State Board of Examiners of Trained Nurses, which shows that in the fiscal year ending June 30, 1920, seventeen counties have employed county nurses, and that the state is paying for that fiscal year the sum of $9,300.00.

We recommend that you appropriate for all purposes:

| | |
|---|---|
| For the fiscal year ending June 30, 1921 | $10,000.00 |
| For the fiscal year ending June 30, 1922 | $10,000.00 |

PAPER FOR PUBLIC PRINTING.

For the Fiscal Year Ending June 30, 1918.

Cost of paper for public printing ..... $52,397.57

For the Fiscal Year Ending June 30, 1919.

Cost of paper for public printing ..... $67,699.50

We recommend that you appropriate for the purpose of buying paper to be used in printing for all the various departments:

For the fiscal year ending June 30, 1921 ..... $80,000.00
For the fiscal year ending June 30, 1922 ..... $80,000.00

In estimating the cost of printing of the various departments, agencies, commissions or institutions in the Appropriation Bill we have only taken into consideration the cost of the printing and excluded the cost of paper. It will, therefore, be necessary for you to appropriate the above sum for the purpose of buying paper for all the various departments, agencies, commissions or institutions of the Commonwealth.

We recommend that you pass section 51 of the Appropriation Bill for the fiscal year ending June 30, 1921, and section 52 of the Appropriation Bill for the fiscal year ending June 30, 1922, for the reason that it is impossible for us to cover these items by specific appropriation because the items contained therein cannot be estimated for any fiscal year.

These sections contain the appropriations for the cost of suits; conveyance of lunatics to the asylums; commissions on fines and forfeitures; compensation for county tax commissioners; cost of criminal prosecutions; amounts due the various clerks of the Commonwealth for their services; cost of distribution of public books; appropriation for the Frankfort Cemetery; yearly allowances made to idiots; interest on outstanding warrants; per diem compensation of the jury commissioners of the various counties of the Commonwealth; the per centum of Jefferson county fees refunded to the officers of Jefferson county; law library for the Commonwealth; all moneys refunded; cost of public books, including record books; compensation for the various county boards of supervisors; any and all rewards; any and all exonerations allowed to the sheriffs of the various counties; amounts authorized to be paid to the trustees of the jury fund of the various counties of the Commonwealth; cost of operation of the Legislative Department of the state government; Judicial Department of the state government; common school system and salaries of the Commonwealth's attorneys. Respectfully submitted,

BUDGET APPROPRIATION COMMISSION.
EDWIN P. MORROW,
Governor of Kentucky.
JNO. J. CRAIG,
Auditor of Public Accounts.
J. A. SCOTT,
Chairman State Tax Commission.

The titles of House Bills Nos. 434 and 435 are as follows, viz.:

House Bill No. 434, entitled:

An act appropriating money for the operation and maintenance of the various departments, boards, commissioners, institutions and agencies of the state government, except for the legislative and judicial departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said departments, boards, commissions, institutions and agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

House Bill No. 435, entitled:

An act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and gaencies of the state government, except for the legislative and judicial departments and except for the common schools, for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said departments, boards, commissions, institutions and agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

On motion of Mr. Hudson it was ordered that said report and bills be printed.

Mr. Lazarus moved to refer the report of the Budget Commission to the Committee on Appropriations with leave to report at any time.

Said motion was agreed to.

Mr. Duffy moved to make House Bill No. 261 a special order for Wednesday, February 18th, at two o'clock p. m.

Said motion was agreed to.

Mr. Wash offered the following resolution, viz.:

Resolved that the House of Representatives invite the Senate to assemble with them in a joint session for the purpose of hearing Dr. Elam, of Nashville, Tennessee, and Superintendent Colvin, of this city, discuss House Bill No. 122, Tuesday, at 1:30 p. m., February 17, 1920.

Said resolution was adopted.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 104. An act defining optometry, creating and establishing the Kentucky State Board of Examiners in Optometry, its duties and powers, providing for the examination, licensing and registering of persons to practice optometry, for the revocation and suspension of such licenses, for the registering of students in optometry and providing penalties for violations hereof.

Mr. Lazarus moved that the consideration of the bill be deferred and that said bill be allowed to retain its place in the orders of the day.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 41. An act to repeal sections 2 and 5 of chapter 11, which is an act entitled, "An act to abolish the assessor's

office and provide in lieu thereof a county tax commission, and the duties of taxpayers in relation thereto."

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That sections 2 and 5 of chapter 11 of the Acts of the General Assembly of Kentucky of 1918 be, and the same is, hereby repealed. And there is hereby enacted in lieu thereof the following:

§ 1. Election of County Tax Commissioners.—The term of office of such county tax commissioner shall be equal to the term of office of the county assessors, and they shall be elected as assessors are now elected by law, subject to the qualification provided for in this act, except that the county tax commissioner shall be eligible for re-election.

Penalty for Failure to Qualify.—Any person elected a county tax commissioner who shall wilfully fail to accept the office and discharge the duties thereof, shall be fined five hundred dollars. Each county tax commissioner herein provided for may appoint as many sober, discreet, capable persons not under the age of twenty-one years, as deputies to assist him to discharge his duties as he may deem necessary, and may remove them at his pleasure. The county tax commissioner and his deputies shall read and administer the oath required to be taken by persons whose property is required to be listed for taxation. The county tax commissioner and his deputies, before they enter upon the duties of the office, shall take the oath prescribed by the Constitution.

Bond.—The county tax commissioner shall at the same time execute a bond in the sum of one thousand dollars to the Commonwealth with good surety, to be approved by the county court, for the faithful discharge of the duties of his office, which bond shall be filed in the office of, and kept safely by, the clerk of the county court, and on which the county

tax commissioner and his sureties shall be liable for any violation of the duties of his office by himself or any of his deputies. Action may be instituted on it by the Commonwealth or any person aggrieved, and recovery had thereon, from time to time, to the extent of the injury sustained.

Work to Begin—When.—The county tax commissioner shall commence the duties of his office on the first day of July each year, and he shall assess the property in his county by voting precincts, in separate books, and he shall also make a separate book or books for each incorporated city, town or taxing district in his county, by wards, voting precincts or other subdivisions as convenience may require.

Vacancies—How Filled.—In case any person who was elected county assessor or county tax commissioner, shall fail to qualify, or, after qualifying, as county tax commissioner shall die, resign, or be removed from office during his term of office, the vacancy shall be temporarily filled by the county judge until his successor shall have been elected and qualified as provided by law. The county tax commissioner herein provided for shall, subject to the direction, instruction and supervision of the State Tax Commission, make the assessment of all property within their counties, except as otherwise provided for, prepare the assessment books, and perform such other duties as may be imposed upon them by law. Any county tax commissioner shall be removed from office by the circuit court of the county wherein he was elected, upon petition of the State Tax Commission, or any taxpayer, for wilful disobedience of any just or legal order of the State Tax Commission, or for misfeasance or malfeasance in office, or wilful neglect in the discharge of his official duties, but such officer or petitioner shall have the right to appeal to the Court of Appeals.

§ 2. Time Spent in Office.—The county tax commissioner shall keep his office open at the county seat for the purpose of assessing property at all reasonable times, except on

Sundays and holidays, from the first day of July to the thirty-first day of October, inclusive, of each year.

All of the taxpayers of voting precincts, lying in part or as a whole in the county seat, shall appear at the county tax commssioner's office and assess their property of all kinds and descriptions, as required by law.

In all the other voting precincts in the county, the county tax commissioner shall post notices (printed or written) in three public places in each voting precinct for ten days preceding the day that the county tax commissioner, or his deputy, will be at each voting precinct for two (2) or more days, for the purpose of assessing the taxpayers in said voting precinct.

However, the county tax commissioner may group two (2) or more voting precincts together, in cities or towns, having more than one voting precinct, by stating in his notices where the county tax commissioner, or his deputy, will be located in said city or town.

It shall be the duty of all taxpayers to meet the county tax commissioner, or his deputy, at the place and on the time set forth in the notices posted in his voting precinct. If any taxpayer shall fail to appear and assess his property at the time set forth in the notices posted in his voting precinct for assessing property, then the county tax commissioner shall mail a notice to the post office address of each taxpayer so failing to assess. Said notice shall summons the taxpayer to appear in person before the county tax commissioner, or his deputy, and assess his property within the time prescribed by law for the assessment of property.

Failure to respond to said notice shall subject the taxpayer to a fine of not exceeding twenty dollars. From the first day of November to the thirty-first day of December, inclusive, the county tax commissioner shall make up his assessment books and perform such other duties as may be required to obtain a fair and equitable assessment of property in his county.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. Holliday offered the following amendment:

Amend House Bill No. 41, on page 2, in line 31, by adding between the word "books" and the word "and" the words "by writing the assessment with ink."

Said amendment was disagreed to.

Mr. Duffy offered the following amendment:

Amendment to House Bill No. 41, section 4. It shall be the duty of the county tax commissioner to visit the premises of each citizen of his county either in person or by deputy and examine the property, real and personal, and make a valuation of same and file the same in his office for the information of the county board of equalization. Should the tax commissioner fail to comply with this section he shall be guilty of malfeasance in office and upon conviction shall be fined not less than $50.00 nor more than $100.00.

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Henry Kaufman | H. G. Skiles |
| Sidney Alfrey | W. L. Kimbrough | S. G. Smith |
| L. H. Ballard | Dr. S. D. Laughlin | R. Lee Stewart |
| H. H. Barnes | Hebron Lawrence | Wm. A. Stewart |
| S. M. Bennett | Joseph Lazarus | John W. Swope |
| J. M. Billiter | Elmer Lusby | J. Mack Thompson |
| W. T. Carner | R. C. Marcum | J. H. Thompson |
| J. F. Carr | I. S. Mason | C. B. Truesdell |
| B. L. Cox | A. J. McCandless | John L. Trumbo |
| H. N. Dean | R. L. McFerron | J. Wood Vance |
| J. B. Denues | Mack J. Morgan | Fred C. VanHoose |
| J. M. Foster | Estill W. Neel | Daniel Vose |
| Dr. T. H. Gamblin | Chas. A. Nelson | Geo. C. Waggoner |
| J. W. Geveden | T. P. Oliver | A. M. Wash |
| A. L. Hamilton | T. C. Pryse | J. S. Webb |
| Dr. W. L. Haynes | B. F. Reynolds | Gladstone Wesley |
| Talbert Holliday | J. L. Richardson | W. G. Wheeler |
| A. R. Hudson | Lee Rogers | R. E. Wilborn |
| Adam W. Huff | B. A. Roth | V. M. Williamson |
| Robt. Humphreys | Dr. Lewis Ryans | Dr. W. S. Yazell |
| R. O. Huntsman | W. P. Scott | |
| J. W. Johnson | Dr. B. F. Shields | —64 |

Those who voted in the negative were—

| | | |
|---|---|---|
| J. S. Cruse | Dr. W. L. Gossett | Sherman Robbins |
| H. C. Duffy | Griffin Kelly | —5 |

Resolved that the title thereof be as aforesaid.

Mr. McCandless moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Waggoner moved that House Bill No. 227 be recommitted to the Committee on Public Health.

Said motion was adopted.

Upon a call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed and referred to the committees indicated, viz.:

By Mr. Lazarus:

H. B. 426. An act to amend and re-enact section 189 of the Code of Practice in Criminal Cases, relating to continuances.

To Committee on Codes of Practice.

By Mr. Lazarus:

H. B. 427. An act providing for and authorizing an appeal in all proceedings now pending in the county courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

To Committee on Revenue and Taxation.

By Mr. Lazarus:

H. B. 428. An act to amend and re-enact section 4225 of the Kentucky Statutes (Carroll's 1918 edition), relating to organization tax of corporations.

To Committee on Revenue and Taxation.

By Mr. Lazarus:

H. B. 429. An act granting to women citizens the right to vote for presidential electors, and requiring officers to perform duties with reference thereto.

To Committee on Kentucky Statutes.

By Mr. Richardson:

H. B. 430. An act defining the civil liability of persons, firms or corporations, owning or controlling a motor vehicle for damages caused by the negligence of their agents or servants or membes of their household entrusted by such person, firm or corporation with the care, custody, control or operation of such motor vehicle.

To Committee on Kentucky Statutes.

By Mr. Kelly:

H. B. 431. An act to repeal an act entitled, "An act to abolish the assessor's office and to provide in lieu thereof a county tax commissioner; prescribing the duties and qualifications of the county tax commissioner, and the duties of taxpayers in relation thereto," which is section 4042a1, 4042a2, 4042a3, 4042a4, 4042a5, 4042a6, 4042a7, 4042a8, 4042a9, 4024a10, 4042a11, 4042a12, 4042a13, 4042a14, 4042a15, Kentucky Statutes, Carroll's 1915 edition, and re-enacting a portion of said subsections.

To Committee on Revenue and Taxation.

By Mr. Holliday:

H. B. 432. An act amending article 12, subsection 6 of section 1550 of Carroll's Kentucky Statutes, 1915 edition, re-enacting same and providing therein that no applicant or

candidate for any public office within the state of Kentucky who shall have been defeated for a nomination, shall thereafter be a candidate for the same office in the general election of the same year in which said candidate aspired or attempted to be nominated under the aforesaid subsection 6 section 1550 of said statutes.

To Committee on Suffrage and Election.

By Mr. Geveden:

H. B. 433. An act to amend and re-enact chapter 138 of the Acts of the General Assembly of 1918 which was an act to unify previous acts of the General Assembly relating to schools of all classes.

To Committee on Education No. 1.

By Mr. Lawrence:

H. B. 434. An act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the state government, except for the legislative and judicial departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said departments, boards, commissions, institutions and agencies; designing the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

To Committee on Appropriations.

By Mr. Morgan:

H. B. 435. An act appropriating money for the operation and maintenance of the various departments, boards,

commissions, institutions and agencies of the state government, except for the legislative and judicial departments and except for the common schools, for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said departments, boards, commissions, institutions and agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

To Committee on Appropriations.

By Mr. Webb:

H. B. 436. An act to amend and re-enact section 2518, Carroll's Kentucky Statutes, relating to limitation of actions upon merchants' accounts for goods, wares and merchandise sold and delivered, or any article charged in such store account.

To Committee on Kentucky Statutes.

By Mr. Billiter:

H. B. 437. An act to better enable the several counties in this Commonwealth to provide for the erection, equipment and maintenance of common and high school buildings, and supplement the salaries of teachers, and extend the terms of schools, to set apart for said purpose all escheated property in this Commonwealth.

To Committee on Education No. 1.

By Mr. Vance:

H. B. 438. An act to provide for the protection of employes on buildings, and for the inspection of ropes and scaffolds, used in the construction, repairing or painting of same,

and providing penalty for the violation of the provisions of this act.

To Committee on Criminal Law.

By Mr. Stites:

H. B. 439. An act to amend section 2380 of the Kentucky Statutes, Carroll's edition, 1915, and subsection 35 of said section.

To Committee on Public Ditches and Fences.

By Mr. Hudson:

H. B. 440. An act to prohibit the charging of more than the legal rate of interest in the Commonwealth for the loan or forbearance of money and prescribing penalty for violation thereof.

To Committee on Banks and Banking.

By Mr. Stewart:

H. B. 441. An act to prohibit owners or claimants of land under junior patents being defeated in their rights by pleading of old Virginia or Kentucky land grants or patents.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 442. An act to amend chapter 18, section 3, of the Kentucky Statutes (Carroll's edition of 1915), relating to dependent, neglected or delinquent children.

To Committee on Juvenile Courts and Children's Home.

By Mr. Barnes:

H. B. 443. A bill to be entitled, "An act to regulate the conference of degrees by educational institutions."

To Committee on Education No. 1.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 77, 163, 150, 230 and 209.

Dr. Ryans moved that the House do now adjourn.

Said motion was adopted.

Then the House, at 3:50 P. M., adjourned.

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TUESDAY, FEBRUARY 17, 1920.

The House was called to order by the Speaker at 10:00 a. m.

The House was opened with prayer by the Rev. Dr. Gass, rector of the Episcopal church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

| | | |
|---|---|---|
| Lon Adams | Jo F. Bosworth | B. L. Cox |
| Sidney Alfrey | Rodney G. Bryson | J. S. Cruse |
| W. T. Beckham | W. T. Carner | H. N. Dean |
| S. M. Bennett | J. F. Carr | H. C. Duffy |
| J. M. Billiter | T. L. Caudel | J. M. Foster |
| W. M. Boling | Charles M. Ciarlo | Dr. T. H. Gamblin |

| | | |
|---|---|---|
| J. W. Geveden | R. C. Marcum | Wm. A. Stewart |
| Dr. W. L. Gossett | I. S. Mason | John T. E. Stites |
| A. L. Hamilton | A. J. McCandless | Frank L. Strange |
| A. F. Hanberry | R. L. McFerron | John W. Swope |
| Dr. W. L. Haynes | Homer C. McLelien | John B. Thomas |
| Talbert Holliday | Mack J. Morgan | J. Mack Thompson |
| D. J. Howard | John T. Murphy | J. H. Thompson |
| A. R. Hudson | Estill W. Neel | Dr. D. J. Travis |
| Adam W. Huff | Chas. A. Nelson | C. B. Truesdell |
| Robt. Humphreys | T. P. Oliver | John L. Trumbo |
| R. O. Huntsman | B. F. Reynolds | J. Wood Vance |
| J. W. Johnson | J. L. Richardson | Fred C. VanHoose |
| Henry Kaufman | Sherman Robbins | Daniel Vose |
| Griffin Kelly | B. A. Roth | A. M. Wash |
| Frank Kennard | Dr. Lewis Ryans | J. S. Webb |
| W. L. Kimbrough | Chas. R. Scott | Dr. T. R. Welch |
| J. M. Knott | W. P. Scott | Gladstone Wesley |
| Dr. S. D. Laughlin | Dr. B. F. Shields | W. G. Wheeler |
| Hebron Lawrence | H. G. Skiles | R. E. Wilborn |
| Joseph Lazarus | S. G. Smith | V. M. Williamson |
| Rev. J. A. Lee | H. A. Spillman | W. N. Winn |
| Elmer Lusby | R. Lee Stewart | Dr. W. S. Yazell |

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On motion of Mr. Vance the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Vance moved to take House Bill No. 396 from the orders of the day and place it upon its passage.

Said motion was adopted.

Then the House took up for consideration from the orders of the day a bill entitled:

H. B. 396. An act imposing a tax on distilled spirits known as whiskey or brandy or other species of spirits in

this state now held in bonded warehouses or other places of safekeeping by any person or firm, corporation or association in whose custody the above named spirits are possessed.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there shall be a tax of fifty cents (50) for each proof gallon of distilled spirits known as brandy, whiskey, gin, rum or any other intoxicating liquors.

§ 2. Said tax shall be assessed and levied by the State Tax Commission and shall be collected as other taxes are collected, provided that this tax shall be considered due whenever any of these spirituous, vinous or malt liquors are consigned to be removed from the warehouses or other places of safekeeping. The taxes so received from the provisions of this act shall be turned into the state treasury, all of which shall be used for the construction of public highways as the three per cent (3%) land tax is now used.

Mr. Vance offered the following amendment by way of substitute for House Bill No. 396, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

Section. That section 1 of chapter 5 of the Acts of the special 1917 session of the General Assembly of the Commonwealth of Kentucky be, and the same is, hereby amended and re-enacted, so that said section, when amended and re-enacted shall read as follows:

"Section 1. (Tax on distilled spirits). Every corporation, association, company, copartnership or individuals engaged in the business or occupation of manufacturing distilled spirits known as whiskey or brandy, or other species of such double stamp spirits in this state, and every owner or

proprietor of a bonded warehouse in this state in which such spirits are stored, shall in addition to the taxes now imposed by law pay to the Commonwealth of Kentucky a license tax of fifty cents on every proof gallon of said distilled spirits which is liable for tax to the federal government as shown by its official records and the amount of tax due the state shall be thereby fixed and measured by the State Tax Commission."

Section 2. That section 2 of said chapter 5 of the Acts of the special 1917 session of the General Assembly be amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

"Section 2. (Reports, Payment and Distribution of Taxes). Every corporation, association, co-partnership or individual engaged in distilling such spirits as are described above and every owner or proprietor or possessor of bonded warehouse in which distilled spirits as above described are stored, shall on the first day of January, May and September, each year, make a report to the Auditor of Public Accounts, in writing, sworn to by the person making the report, or if the owner or proprietor or possessor be a corporation, then such report shall be made and sworn to by its principal officer or the manager in charge. Such report shall show, in proof gallons, the quantity of such spirits on which the government tax has been paid, or has become due, or transferred under bond or removed from the warehouse during the preceding four months, and shall, at the time of making the report pay to the Treasurer, through the Auditor, the aforesaid tax of fifty cents per proof gallon on such distilled spirits reported on as above directed. All distilled spirits liable to taxation under this act now in bonded warehouses in this state will be subject to this tax, the same as such spirits which shall be hereafter distilled, or stored in such warehouses, and the state shall have a lien for license tax due, which shall follow any change of ownership. The tax when collected shall be distributed as follows: To the state

road fund, seventy-five (75) per cent thereof; to the general expenditure fund, twenty-five (25) per cent theroof."

Section 3. Whereas, large quantities of liquor subject to the provisions of this act are constantly being removed from the bonded warehouses located in the Commonwealth, without the state securing an adequate license tax thereon, an emergency is hereby declared to exist, and this act shall take effect from and after the date of its passage and approval by the Governor.

Mr. Vance moved that said substitute be adopted.

Said motion was agreed to.

It was so ordered.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | W. M. Boling | H. N. Dean |
| Sidney Alfrey | Rodney G. Bryson | J. M. Foster |
| L. H. Ballard | W. T. Carner | Dr. T. H. Gamblin |
| H. H. Barnes | J. F. Carr | J. W. Geveden |
| W. T. Beckham | T. L. Caudel | Dr. W. L. Gossett |
| S. M. Bennett | Charles M. Ciarlo | A. L. Hamilton |
| J. M. Billiter | J. S. Cruse | A. F. Hamberry |

| | | |
|---|---|---|
| Dr. W. L. Haynes | Homer C. McLellen | John T. E. Stites |
| Talbert Holliday | John T. Murphy | Frank L. Strange |
| D. J. Howard | Estill W. Neel | John W. Swope |
| A. R. Hudson | Chas. A. Nelson | John B. Thomas |
| Adam W. Huff | T. P. Oliver | J. Mack Thompson |
| Robt. Humphreys | T. C. Pryse | J. H. Thompson |
| R. O. Huntsman | B. F. Reynolds | Dr. D. J. Travis |
| Henry Kaufman | J. L. Richardson | C. B. Truesdell |
| Griffin Kelly | Sherman Robbins | John L. Trumbo |
| Frank Kennard | B. A. Roth | J. Wood Vance |
| Dr. S. D. Laughlin | Dr. Lewis Ryans | Fred C. VanHoose |
| Hebron Lawrence | Chas. R. Scott | Daniel Vose |
| Joseph Lazarus | W. P. Scott | A. M. Wash |
| Rev. J. A. Lee | Dr. B. F. Shields | J. S. Webb |
| Elmer Lusby | H. G. Skiles | Gladstone Wesley |
| R. C. Marcum | S. G. Smith | W. G. Wheeler |
| I. S. Mason | H. A. Spillman | R. E. Wilborn |
| A. J. McCandless | R. Lee Stewart | V. M. Williamson |
| R. L. McFerron | Wm. A. Stewart | Dr. W. S. Yazell |

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Those who voted in the negative were—

| | | |
|---|---|---|
| H. C. Duffy | W. L. Kimbrough | J. M. Knott |
| J. W. Johnson | | |

—4

Mr. Vance offered the following amendment to the title of said bill, viz.:

An act amending and re-enacting sections 1 and 2 of chapter 5 of the Acts of the special 1917 session of the General Assembly of the Commonwealth of Kentucky, entitled: "An act relating to revenue and taxation, and providing a license tax on distilled spirits, known as double stamp spirits, providing for the distribution of said fund, and providing penalties for the violation of its provisions."

Said amendment was adopted.

Resolved that the title thereof be as amended.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith indicated that the hour for special order, House Bill No. 60, had arrived.

Then the House, at 11:30 a. m., took up for consideration from the orders of the day a bill entitled.

H. B. 60. An act relating to roads and bridges, creating the department of State Roads and Highways; providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provision of the federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for co-operative work with the United States Government; providing for the payment of the state's part of the construction of state aid roads under the prsent law; providing for the acceptance of and making binding gifts and donations; establishing and designating a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of way, and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356t, Kentucky Statutes, edition 1915, also repealing sections 4356u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25 of section 4356x, Kentucky Statutes, edition 1915, and the supplement to said edition known as Vol. 3, repealing any other act or acts in conflict herewith.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The Department of the state government known as the Department of Public Roads is hereby continued and shall be known and designated as the Department of State Roads and Highways.

The chief officer of said department shall be known as the State Highway Engineer. The present Commissioner of Public Roads shall serve until July 1, 1920, on or before which date, and on or before the same date every four years thereafter, the Governor shall appoint a State Highway Engineer, who shall hold his office for a term of four years from the first day of July or until his successor is appointed and qualified unless sooner removed by the Governor for cause. Cause for removal shall be pernicious political activity, or any political activity which is calculated to bring his department into discredit or which interferes with efficiency in the performance of duties imposed upon the department; inefficiency in the performance of his duties, and the acts of incompetent or inefficient assistants or employees shall be imputed to him after such inefficiency or incompetency is brought to his attention, if he does not remove such guilty assistants or employes, neglect of duty on his part, or on the part of his assistants or employes if he does not remove the guilty assistants or employes after neglect of duty on their part is brought to his attention; continued ill health incapacitating him from the discharge of his duties; malfeasance in office; or any other cause which may render him unfit to discharge the duties of his office. But before removal, the Governor shall furnish the said engineer with a copy of the charges against him and shall designate a date not sooner than ten days thereafter when he may appear in person and by counsel before the Governor and be heard in his defense.

The State Highway Engineer shall be not less than thirty years of age at the time of his qualification; he shall be a grad-

uate of civil engineering from some reputable university or technical college and shall have not less than five years' experience in civil and highway engineering. The said engineer shall qualify by taking and subscribing an oath of office to well and truly perform the duties thereof, which shall be filed with the Secretary of State.

§ 2. The State Highway Engineer shall receive a salary of $5,000 annually to be paid monthly out of the state treasury and charged to the state road fund. He is empowered and authorized to employ such assistants and employes as may be necessary to carry on the work and to discharge the duties imposed upon him by law and he is authorized and empowered to fix the salaries of such assistants and employes by approval of the Governor and they shall be paid monthly out of the state treasury upon his certification to the auditor and charged to the state road fund. He may remove any assistant or employe when in his judgment the good of the state requires it. The engineer, his assistants and employes shall be paid their actual necessary traveling expenses while engaged in traveling on business for the state in the discharge of official duties. The said expenses shall be paid upon certification to the Auditor by the engineer and shall be charged to the state road fund. The total expenses of the Department of Roads and Highways, including salaries, traveling expenses and all other expenses connected with or incident to the work imposed on the department, shall not exceed in the aggregate, in any one year, ten per centum of the total road fund for said year.

§ 3. In addition to the duties imposed upon him in the preceding section, the State Highway Engineer may cause to be printed and distributed from time to time, bulletins containing useful information touching the construction and maintenance of roads, he shall on or before the first day of December, biennially, and oftener if so required by the Governor, make a report to the Governor for general informaton and for the use of the General Assembly, which report shall

give in detail a statement of all expenses and salaries and shall set out in full all the activities of the department showing the work done and work in progress with a detailed statement of the cost thereof, the income and expenditures of the department shall be fully stated and, in addition, the report shall contain such useful information as the engineer may deem of importance, together with recommendations looking towards increasing the efficiency of the department; he shall make all necessary surveys in the establishment and construction of the system of roads hereinafter designated and set out and shall make and provide all necessary maps, plans and specifications of all work to be done on said roads or any of them; he shall select the route or any part of a route between the points designated and may deviate from existing routes when necessity for such deviation is found; he shall establish the width of all roads, establish grades and provide suitable systems of drainage; he shall determine the type or character of roads which shall be constructed in whole or in part between designated points and shall prepare estimates of costs, advertisements for bids, contracts for construction and all necessary forms in connection therewith; he shall have full power subject only to the limitations in this act to designate roads and sections of roads for construction; after surveys, plans, specifications and estimates have been completed for any road or any part or section of any road, and the type or character of road has been determined, he shall advertise for and receive bids as provided in this act; he shall prescribe rules and regulations for the care and maintenance of roads after they have been constructed; he shall have full power to obtain rights of way for roads as herein provided; he shall have full power to stop or regulate all traffic or travel over any road in process of construction and until same is ready to be opened to the public and for that purpose he shall have power to designate other roads for the accommodation of all travel and traffic until the road under construction is entirely completed, and he shall have power to estab-

lish temporary roads to accommodate travel and traffic until the road under construction is finally completed and he may make arrangements with landowners for necessary rights of way for the establishment of temporary roads and he may purchase and pay for such rights by certifying the cost thereof to the Auditor; he shall see that the owners of all lands abutting on any state highway keep the said highway free from obstructions caused by bushes, weeds, shrubs or overhanging limbs of trees or other obstructions and shall give the necessary orders to such landowners or their agents directing them to remove such obstructions and shall cause prosecutions to be instituted against those who violate his reasonable orders in this respect and his orders shall have the same effect and take the place of orders of the fiscal court in regard to roads other than state highways as herein designated; he is hereby authoried to enter into all contracts and agreements with the United States government relating to the survey, construction and maintenance of roads under the provisions of the act of Congress approved July 11, 1916, entitled:

"An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," which act will be found in the United States Statutes, at large, page 355, or any act amendatory of said act or any new act of Congress having in view the same, or substantially the same object, which may hereafter be enacted, and to submit a scheme or program of construction and maintenance as may be requird by the secretary of agriculture of the United States, or any other officer who may be designated by Congress, and do all other things necessary fully to carry out the co-operation contemplated or that may be hereafter contemplated and provided for by said act or any future act; he shall have power and he is hereby authorized to set apart and appropriate from the state road fund an amount equal to any sum or sums that have been or may be allotted to the Commonwealth of Kentucky by the United States Government, or any sum or sums that may be necessary to carry on

co-operative work with the United States Government under the present or existing law and plans, or any future laws or plans, and there is hereby appropriated from the state road fund sufficient funds to enable the said engineer to pay the state's portion for the construction and maintenance of rural post roads as provided for in the present, or any future Federal Aid Act; he is hereby directed and authorized to prepare the necessary plans and specifications and to enter into contracts for and to supervise the construction of federal aid roads in accordance with the rules and regulations of the United States Secretary of Agriculture, or any other officer designated by the United States government; the State Treasurer is hereby authorized to receive such money as may be due the state under the provisions of the present or any future federal aid and the same shall be paid out upon a warrant of the Auditor, which warrants shall be issued only in payment of claims certified to him by the State Highway Engineer; he is hereby authorized to turn over to the respective counties any road or roads which may have been constructed under the present state aid law, except such road or roads as may be a part of the primary system of roads hereinafter designated, and the counties shall be under full obligation to maintain such roads as may not be a part of the system of primary roads hereinafter designated; he shall have full power to carry out all contracts which may have been entered into under the present state aid law or which may be entered into on or before July 1, 1920, and the state shall be fully bound to pay its part of the construction of said roads under the present law, but the amount of money which any county shall receive annually in payment of any sum due such county from the state shall be the sum paid to such county for the fiscal year ending June 30, 1920, and this sum shall be paid annually from the state road fund until every county has received the full amount due from the state and the said engineer is hereby authorized to certify to the Auditor the amount due any county where the full amount due is

determinable and at the same time shall certify the amount which will be due annually and the Auditor shall draw his warrant on the state treasurer, payable to the county treasurer, for the sum due each year, stating when each warrant will fall due; but if the work has not been completed, the Auditor shall draw his warrant on the treasurer payable to the county treasurer, or to such person as the county may direct, for the amount due the county from time to time as shown by the certification of said engineer; when the work shall have been finally completed and the entire amount due the county is certified to the Auditor by said engineer, the Auditor shall call in and cancel such of the warrants as have been issued from time to time and which have not been paid, and shall draw warrants on the State Treasurer in favor of the county treasurer, or such person as the county may direct, for the amount due annually in separate warrants as shown by the certification of said engineer, and each warrant shall specify when it will fall due; the said engineer shall ascertain all gifts or donations which have been made or promised by any person or corporation in aid of the construction of any road known as a state aid or state and federal aid road where such gift or donation has not been completed, and said gifts or donations or any promise thereof shall be binding and of full effect the same as when made; and nothing in this act shall be construed to affect the validity thereof; he shall set aside sufficient funds each year to discharge the warrants above mentioned as they fall due, but said warrants shall not bear interest unless there are not funds to pay any warrant when it is presented for payment after it is due, in which event it shall be stamped "interest-bearing" as other warrants.

In addition to the foregoing enumerated powers and duties, it shall be the duty of the State Highway Engineer to perform any and all other duties imposed upon him by this or any other act, and particularly shall it be his duty to cause to be done all things necessary to construct and maintain the

system of primary roads hereinafter designated, and where there is no provision of law covering any necessary thing to be done in the constuction and maintenance of said roads, he shall do such necessary things in the way and manner best calculated, in his judgment, to accomplish the necessary object and it is intended that the provisions contained in this act shall be treated as restrictions on his powers and not a delegation of power, that is, but for the act he could have plenary powers, and he may do all things necessary in the construction and maintenance of said roads except where the power to act is denied or restricted by law.

§ 4. The General Assembly of the state of Kentucky hereby continues its assent to the provisions of the act of Congress approved July 11, 1916, entitled, "An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes;" and further, the General Assembly assents to any act amendatory of said act, or any new act of Congress in furtherance of the same or substantially for the same purposes which may be enacted in the future.

§ 5. A primary system of state highways is hereby established which will give to each county in the state at least one main thoroughfare and the roads thus established as a system of primary roads shall be as follows:

Project No. 1.—From Wickliffe to Bowling Green, via Mayfield, Benton, Fenton, Cadiz, Hopkinsville, Elkton and Russellville; from Bardstown to Ashland, via Springfield, Harrodsburg, Nicholasville, Lexington, Winchester, Mt. Sterling, Owingsville, Morehead and Grayson.

Project No. 2.—From Guthrie to Henderson, via Hopkinsville, Nortonville, Madisonville and Dixon.

Project No. 3—From Louisville to Bardstown; from Glasgow to Kentucky-Tennessee state line at Adolphus, via Scottsville.

Project No. 4.—From Winchester to Whitesburg, via Stanton, Campton, Jackson and Hazard.

Project No. 5.—From Lexington to Covington, via Georgetown, Williamstown, Crittenden, Walton, Richwood, Florence and Erlanger.

Project No. 6.—From Lexington to Tennessee state line, near Manring, Tennessee, via Richmond, Mt. Vernon, London, Barbourville and Pineville and Middlesboro.

Project No. 7.—From Ashland to Pineville, via Catlettsburg, Louisa, Paintsville, Prestonburg, Pikeville, Whitesburg and Harlan.

Project No. 8.—From Bardwell to Kentucky-Tennessee state line at Fulton, via Clinton and Hickman.

Project No. 9.—From Paducah to Louisville, via Smithland, Marion, Morganfield, Henderson, Owensboro, Hawesville, Hardinsburg, Brandenburg, Tiptop and West Point.

Project No. 10.—From Paducah to Kentucky-Tennessee state line, via Mayfield and Murray.

Project No. 11.—From Owensboro to Smithland, via Calhoun, Greenville, Nortonville, Dawson Springs, Princeton and Eddyville.

Project No. 12.—From Owensboro to Tipton, via Hartford, Pleasant Ridge, Morgantown, Bowling Green, Cave City, Bear Wallow, Munfordville and Elizabethtown.

Project No. 13.—From Owensboro to Elizabethtown, via Whitesville, Fordsville and Leitchfield.

Project No. 14.—From Paducah to Wickliffe.

Project No. 15.—From Bardstown to Glasgow, via Hodgenville, Buffalo and Hardyville.

Project No. 16.—From Louisville to Florence, via Russell Curve, Bedford, Milton, Carrollton and Warsaw.

Project No. 17.—From Morgantown to Munfordville, via Brownsville.

Project No. 18.—From Russellville to Kentucky-Tennessee state line at Geddes, via Franklin.

Project No. 19.—From Hardyville to Campbellsville, via Greensburg.

Project No. 20.—From Louisville to Georgetown, via Shelbyville and Frankfort.

Project No. 21.—From Louisville to Bardstown, via Taylorsville.

Project No. 22.—From Russell Curve to Williamstown, via New Castle and Owenton.

Project No. 23.—From Shelbyville to Ashland, via Lawrenceburg, Versailles, Lexington, Paris, Millersburg, Blue Lick, Mayslick, Maysville, Ribolt, Vanceburg and Greenup.

Project No. 24.—From Newport to Paris, via Alexandria, Falmouth and Cynthiana.

Project No. 25.—From Springfield to Kentucky-Tennessee state line, via Lebanon, Campbellsville, Columbia, Edmonton and Tompkinsville.

Project No. 26.—From Lawrenceburg to Kentucky-Tennessee state line, at Isham, Tennessee, via Harrodsburg, Danville, Stanford, Somerset and Whitley City.

Project No. 27.—From Nicholasville to Kentucky-Tennessee state line, opposite Huntersville, via Lancaster, Stanford, Hustonville, Liberty, Jamestown and Albany.

Project No. 28.—From Columbia to Jamestown.

Project No. 29.—From Danville to Lebanon.

Project No. 30.—From Frankfort to Versailles.

Project No. 31.—From Mt. Vernon to Albany, via Somerset and Monticello.

Project No. 32.—From London to Grayson, via Manchester, Hyden, Hazard, Hindman, Salyersville, West Liberty and Sandy Hook.

Project No. 33.—From Richmond to Jackson, via Irvine and Beattyville.

Project No. 34.—From Richmond to Manchester, via McKee.

Project No. 35.—From Beattyville to Manchester, via Booneville.

Project No. 36.—From Mt. Sterling to West Liberty, via Frenchburg.

Project No. 37.—From Owingsville to Mayslick, via Flemingsburg.

Project No. 38.—From Paintsville to Salyersville.

Project No. 39.—From London to Kentucky-Tennessee state line at Jellico, via Williamsburg.

Project No. 40.—From Pikeville to West Virginia state line, near Williamson.

Project No. 41.—From Bowling Green to Burkesville, via Scottsville and Tompkinsville.

Project No. 42.—From Middlesboro to Cumberland Gap.

All state and federal moneys used in the construction and maintenance of roads in the state except as otherwise provided in this act shall be used in the construction and maintenance of the roads herein designated until the entire system is fully completed. The cost of construction of this entire system of state highways shall be borne entirely by the state, or by the state and federal government where the roads are built in cooperation, and they shall be maintained entirely by the state, but nothing herein shall prevent any county, municipality, association, firm or individual from making a donation to the state in aid of the construction or maintenance of any of the said roads of the state and the state shall have the right to accept any donation on the terms and conditions prescribed by the State Highway Engineer. The construction and maintenance of this system of primary roads shall be under the directions, supervision and control of said engineer and he shall do all things necessary in the construction of said roads as herein required. When this system of roads has been entirely completed and fully paid for, the State Highway Engineer shall have the power to designate other roads to be constructed under the same terms and conditions, and he shall have power to construct them accordingly.

§ 6. When the State Highway Engineer has caused plans and specifications of any road, or part of road, to be made and completed, and has approved same and has caused all

necessary rights of way to be obtained, it shall be his duty to advertise for bids for this work. Said advertisement shall be such as to let it be generally known that said work is to be done and the said Engineer shall determine the manner of advertising, but notice of the letting of any contract shall be for not less than ten days before the date thereof. The advertisement shall state the place where the bidders may examine said plans and specifications and the time and place where bids for said work will be received by said engineer. Each bidder must accompany his bid with a bond or certified check payable to the state treasurer for a reasonable sum to be fixed by the engineer as a guarantee that if the said work is awarded to him he will enter into a contract with the said engineer for the construction of the road, or for the doing of the work mentioned in the bid. The contract shall be let by the engineer to the lowest and best bidder for the particular work covered in the bid and the successful bidder must execute a bond payable to the Commonwealth of Kentucky in the sum of at least twenty per cent of the estimated cost of said work, which bond must be approved by the said engineer and conditioned upon the faithful performance of said work in strict conformity with the plans and specifications for the same. This bond shall be kept on file in the office of the State Highway Engineer. The said engineer is authorized and empowered to reject any bid when in his judgment the best interest of the state requires him to do so. When all bids are rejected he shall advertise for new bids as in the first place.

Said contract shall fully set out the time when work shall commence and when the contract shall be completed, as well as the time and manner of payment for the work, and the said engineer may require that a certain percentage of the contract price or a certain fixed sum shall not be paid to the contractor until after the expiration of some date certain from the completion of the work and the acceptance thereof. When any contract provides for partial payment based upon the amount of work done, it shall be the duty of the represen-

tative of the State Road Department in charge of said work, as each payment becomes due, to present to said engineer a certificate signed by the representative in which certificate shall be stated as nearly as can be the amount of work done for which payment is to be made. If the said engineer is satisfied that the amount certified is due, he shall request the Auditor to draw his warrant on the treasurer for the required amount and the Auditor shall carry out said request. When the work under contract shall have been fully completed, the representative of the State Highway Engineer shall prepare a detailed and itemized statement of the cost of the work done, certifying same to the State Highway Engineer, and if it is found correct, the said engineer shall certify to the Auditor the amount due the contractor and the Auditor shall draw his warrant on the treasurer for said sum. A true copy of all specifications, bids, contracts and certifications shall be kept on file in the office of the State Highway Engineer.

§ 7. No portion of the cost of acquiring any necessary land or right of way except a temporary right of way nor any part of any damages incurred, awarded or paid, shall be paid out of the state road fund, but all cost of acquiring any necessary land or right of way and any damages incurred, awarded or paid shall be paid by the county out of its general fund. The State Highway Engineer is hereby authorized to institute any proceeding in the county court of the county where the land lies to have any right of way, temporary or permanent, condemned and the damages assessed. He may institute such suit or proceeding in the name of the Commonwealth and the county attorney shall represent it. He shall have the power to agree with any landowner as to the value of the right of way and if the agreement reached is approved by the county attorney, the fiscal court shall enter an order directing the payment of the amount agreed upon to the landowner, and a record of said agreement shall be spread upon the records of the county court. Any landowner may

donate a right of way across his land for any road herein designated and shall execute a deed to the State Highway Engineer for the use and benefit of the state of Kentucky for such right of way. Condemnation proceedings may be tried at a special term of the county court called for the purpose after due notice has been given the owner and claimant of the land sought to be condemned.

§ 8. When any primary road herein designated must pass through a city or town, the State Highway Engineer is hereby empowered to enter into a contract with such city or town for the construction of such road, if the road through the city or town is to be different from the road constructed outside of the city or town, but if the road is the same, the cost therof shall be paid as is the cost of other roads designated herein. In the event it is necessary to construct a road or street at a greater cost than is paid for construction of a like lineal mileage outside of the city or town, such city or town must pay the additional cost of construction, and the details shall be agreed upon between such city or town and said engineer.

§ 9. Bridges shall be considered as a part of the system of roads herein designated where it is necessary to construct bridges as a part of said roads and the provisions of this act relating to the construction of roads shall be construed to include bridges.

§ 10. All laws in conflict with this act are hereby repealed.

The Committee on Public Roads and Highways offered the following amendment by way of substitute to said bill, viz.:

An act relating to roads and bridges; creating the Department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said de-

partment; prescribing laws governing said department and the officers therein; accepting the provisions of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States Government; providing for the payment of the State's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designating a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of way and naming cities and towns from which construction shall commence; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356t, Kentucky Statutes, edition 1915; also repealing section 4356u and subsections 1, 2, 5, 6, 7, 8, 9, 10. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, of section 4356x, Kentucky Statutes, edition 1915, and the supplement to said edition known as vol. 3, repealing any other act or acts in conflict herewith.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The department of the state government known as the Department of Public Roads, is hereby continued and shall be known and designated as the Department of State Roads and Highways.

There is hereby created a State Highway Commission which shall consist of four members, three of whom shall be appointed by the Governor, and not more than two of whom shall be members of the same political party. The other member shall be the Professor of Civil Engineering of the University of Kentucky, who shall be a member ex officio. One of the members so appointed shall serve for two years and two shall serve for four years, and their successors shall be appointed for a term of four years. The commission shall select a chairman and secretary from among its members.

The members appointed by the Governor shall be citizens and residents of Kentucky, and shall be not less than thirty years of age. Each shall be a representative business man and shall be well informed as to the needs and requirements of different sections of the state. Before assuming the duties of their office, each member shall take the constitutional oath of office and a record thereof shall be entered on the minutes of the commission. The said commission shall have its office with the Department of State Roads and Highways. The commission shall provide a book in which shall be recorded all of its proceedings at each meeting, which records shall be signed by the chairman and secretary. The commission shall meet at least once each month and may meet at any time upon the call of the chairman. It shall be the duty of the commission to make a careful investigation of all problems relating to the construction and maintenance of roads and bridges in the state; it may examine all projects and ascertain the feasibility of all routes and may obtain information as to the proper type or character of road for any project; it shall examine all types of road material which may be used, or the use of which is contemplated, in the construction, reconstruction or maintenance of any road hereinafter mentioned; it shall, from time to time, examine the books of the Department of State Roads and Highways; it shall give to the State Highway Engineer full and complete information obtained by it of all matters which it investigates, and shall advise him fully as to the things for the best interest of the state in the construction, reconstruction and maintenance of roads and bridges, and the advice given shall be made a matter of record on the minutes of the commission. The commission shall make a detailed report to the Governor at least once each year, and oftener if required by the Governor, giving in detail all information which will fully advise him, and the General Assembly, of the work done by the Department of State Roads and Highways, and particularly showing all moneys expended and the purposes for which spent. In

reaching a conclusion on any matters pertaining to the duties of his office, the State Highway Engineer shall consider, and reach his conclusions from the information and advice furnished him by the State Highway Commission, and from information obtained by himself from other sources. The State Highway Commission shall be paid actual and necessary traveling expenses while engaged in business for the state.

The chief officer of said department shall be known as the State Higway Engineer. The present Commissioner of Public Roads shall serve until July 1, 1920, and on or before that date, and on or before the same date every four years thereafter, the State Highway Commission shall appoint a State Highway Engineer, who shall hold his office for a term of four years from the first day of July, or until his successor is appointed and qualified unless sooner removed by said commission for cause. Cause for removal shall be pernicious political activity, or any political activity which is calculated to bring his department into discredit or which interferes with efficiency in the performance of duties imposed upon the department; inefficiency in the performance of his duties, and the acts of incompetent or inefficient assistants or employes shall be imputed to him after such inefficiency or incompetency is brought to is attention, if he does not remove such guilty assistants or employes; neglect of duty on his part, or on the part of his assistants or employes, if he does not remove the guilty assistants or employes after neglect of duty on their part is brought to his attention; continued ill health incapacitating him from the discharge of his duties; malfeasance in office, or any other cause which may render him unfit to discharge the duties of his office. But before removal, the said commission shall furnish the said engineer with a copy of the charges against him and shall designate a date not sooner than ten days thereafter when he may appear in person and by counsel before the said commission and be heard in his defense. Any member of the State High-

way Commission may be removed by the Governor for cause, and any cause for removal of State Highway Engineer shall be cause for removing any member of said commission.

The State Highway Engineer shall be not less than thirty years of age at the time of his qualification; he shall be a graduate of civil engineering from some reputable university or technical college and shall have not less than five years' experience in civil and highway engineering. The said engineer shall qualify by taking and subscribing an oath of office to well and truly perform the duties thereof, which shall be filed with the Secretary of State.

§ 2. The State Highway Engineer shall receive a salary of $5,000.00 annually, to be paid monthly out of the state treasury and charged to the state road fund, and shall be furnished with ample office room for himself and his assistants for the proper prosecution of their work at the State Capitol. He is empowered and authorized to employ such assistants and employes as may be necessary to carry on the work and to discharge the duties imposed upon him by law, and he is authorized and empowered to fix the salaries of such assistants and employes by approval of the State Highway Commission, and they shall be paid monthly out of the state treasury upon his certification to the Auditor, and charged to the state road fund. He may remove any assistant or employe when in his judgment the good of the state requires it. The engineer, his assistants and employes shall be paid their actual necessary traveling expenses while engaged in traveling on business for the state in the discharge of official duties. The said expenses shall be paid upon certification to the Auditor by the engineer, and shall be charged to the state road fund. The total expenses of the Department of Roads and Highways, includlung salaries, traveling expenses and all other expenses connected with or incident to the work imposed on the department shall not exceed in the aggregate, in any one year, ten per centum of the total road fund for said year.

§ 3. In addition to the duties imposed upon him in the preceding section, the State Highway Engineer may cause to be printed and distributed, from time to time, bulletins containing useful information touching the construction and maintenance of roads; he shall, on or before the first day of December, biennially, and oftener if so required by the Governor, make a report to the Governor for general information and for the use of the General Assembly, which report shall give in detail a statement of all expenses and salaries and shall set out in full all activities of the department, showing work done and work in progress with a detailed statement of the cost thereof, the income and expenditures of the department shall be fully stated, and, in addition, the report shall contain such useful information as the engineer may deem of importance, together with recommendations looking towards increasing the efficiency of the department; he shall make all necessary surveys in the establishment and construction of the system of roads hereinafter designated and set out, and shall make and provide all necessary maps, plans and specifications of all work to be done on said roads or any of them; he shall select the route, or any part of a route between the points designated, and may deviate from existing routes when necessity for such deviation is found; he shall establish the width of all roads, establish grades and provide suitable systems of drainage; he shall determine the type or character of roads which shall be constructed in whole or in part between designated points and shall prepare estimates of costs, advertisements for bids, contracts for construction and all necessary forms in connection therewith; he shall have full power, subject only to the limitations in this act, to designate roads and sections of roads for construction; after surveys, plans, specifications and estimates have been completed for any road or any part or section of any road, and the type or character of road has been determined, he shall advertise for and receive bids as provided in this act; he shall prescribe rules and regulations for the care and maintenance of roads

after they have been constructed; he shall have full power to stop or regulate all traffic or travel over any road in process of construction and until same is ready to be opened to the public, and for that purpose he shall have power to designate other roads for the accommodation of all travel and traffic until the road under construction is entirely completed, and he shall have power to establish temporary roads to accommodate travel and traffic until the road under construction is finally completed, and he may make arrangements with landowners for necessary rights of way for the establishment of temporary roads, and he may purchase and pay for such rights by certifying the cost thereof to the Auditor; he is hereby authorized to enter into all contracts and agreements with the United States Government relating to the survey, construction and maintenance of roads under the provisions of the act of Congress, approved July 11, 1916, entitled:

"An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes."

Which act will be found in the United States Statutes, at large, page 355, or any act amendatory of said act, or any new act of Congress having in view the same, or substantially the same object, which may hereafter be enacted, and to submit a scheme or program of construction and maintenance as may be required by the Secretary of Agriculture of the United States, or any other officer who may be designated by Congress, and do all other things necessary fully to carry out the cooperation contemplated or that may hereafter be contemplated and provided for by said act or any future act; he shall have power and he is hereby authorized to set apart and appropriate from the state road fund an amount equal to any sum or sums that have been or may be allotted to the Commonwealth of Kentucky by the United States Government or any sum or sums that may be necessary to carry on cooperative work with the United States Government under the present or existing law and plans, or any future laws or

plans, and there is hereby appropriated from the state road fund sufficient funds to enable the said engineer to pay the state's portion for the construction and maintenance of rural post roads, as provided for in the present, or any future Federal aid act; he is hereby directed and authorized to prepare the necessary plans and specifications and to enter into contracts for and to supervise the construction of Federal aid roads in accordance with the rules and regulations of the United States Secretary of Agriculture, or any other officer designated by the United States Government; the State Treasurer is hereby authorized to receive such money as may be due the state under the provisions of the present or any future Federal aid act, and the same shall be paid out upon a warrant of the Auditor, which warrants shall be issued only in payment of claims certified to him by the State Highway Engineer; he is hereby authorized to turn over to the respective counties any road or roads which may have been constructed under the present state aid law, except such road or roads as may be a part of the primary system of roads hereinafter designated, and the counties shall be under full obligation to maintain such roads as may be a part of the primary system of roads hereinafter designated, and the counties shall be under full obligation to maintain such roads as may not be a part of the system of primary roads hereinafter designated; he shall have full power to carry out all contracts which may have been entered into under the present state aid law, or which may be entered into on or before July 1, 1920, and the state shall be fully bound to pay its part of the construction of said roads under the present law, but the amount of money which any county shall receive annually in payment of any sum due such county from the state shall be the sum paid to such county for the fiscal year ending June 30, 1920, and this sum shall be paid annually from the state road fund until every county has received the full amount due from the state, and the said engineer is hereby authorized to certify to the Auditor the amount due any county where the

full amount due is determinable and at the same time shall certify the amount which will be due annually and the Auditor shall draw his warrant on the State Treasurer, payable to the county treasurer, for the sum due each year, stating when each warrant will fall due; but if the work has not been completed, the Auditor shall draw his warrant on the Treasurer, payable to the county treasurer, or to such person as the county may direct, for the amount due the county from time to time as shown by certification of said engineer; when the work shall have been finally completed and the entire amount due the county is certified to the Auditor by said engineer, the Auditor shall call in and cancel such of the warrants as have been issued from time to time and which have not been paid, and shall draw warrants on the State Treasurer in favor of the county treasurer, or such person as the county may direct, for the amount due annually in separate warrants as shown by the certification of said engineer and each warrant shall specify when it will fall due; the said engineer shall ascertain all gifts, donations or appropriations which have heretofore been made or promised by any person, corporation, county or municipality in aid of the construction of any road known as a state aid or state and Federal aid road, where such gift, dontion or appropriation has not been completed, and said gifts, donations or appropriations, or any promise thereof shall be binding and of full effect the same as when made, and nothing in this act shall be construed to affect the validity thereof; he shall set aside sufficient funds each year to discharge the warrants above mentioned as they fall due, but said warrnts shall not bear interest unless there are not funds to pay any warrant when it is presented for payment after it is due, in which event it shall be stamped "interest bearing," as other warrants.

In addition to the foregoing enumerated powers and duties, it shall be the duty of the State Highway Engineer to perform any and all other duties imposed upon him by this or any other act and particularly shall it be his duty to cause

to be done all things necessary to construct and maintain the system of primary roads hereinafter designated, and where there is no provision of law covering any necessary thing to be done in the construction and maintenance of said roads; he shall do such necessary things in the way and manner best calculated, in his judgment to accomplish the necessary object, and it is intended that the provisions contained in this act shall be treated as restrictions on his powers and not a delegation of power, that is, but for the act he could have plenary powers, and he may do all things necessary in the construction and maintenance of said roads except where the power to act is denied or restricted by law.

§ 4. The General Assembly of the state of Kentucky hereby continues its assent to the provisions of the act of Congress, approved July 11, 1916, entitled:

"An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes;" and further, the General Assembly assents to any act amendatory of said act, or any new act of Congress in furtherance of the same, or substantially for the same purposes, which may be enacted in the future.

§ 5. A primary system of state highways is hereby established which will give to each county in the state at least one main thoroughfare and the roads thus established as a system of primary roads shall be as follows:

Project No. 1.—From Wickliffe to Springfield, via Bardwell, Mayfield, Benton, Eggner's Ferry, Fenton, Cadiz, Hopkinsville, Elkton, Russellville, Bowling Green, Glasgow, Edmonton, Columbia, Campbellsville and Lebanon.

Project No. 2.—From Henderson to Guthrie, via Dixon, Madisonville, Nortonville and Hopkinsville.

Project No. 3.—From Louisville to Adolphus, via Bardstown, Hodgenville, Buffalo, Hardyville, Glasgow and Scottsville.

Project No. 4.—From Winchester to Whitesburg, via Stanton, Campton, Jackson and Hazard.

Project No. 5.—From Covington to Kentucky-Tennessee state line, near Manring, Tennessee, via Erlanger, Florence, Richwood, Walton, Crittenden, Williamstown, Georgetown, Lexington, Richmond, Mt. Vernon, London, Corbin, Barbourville, Pineville and Middlesboro.

Project No. 6.—From Ashland to Pineville, via Catlettsburg, Louisa, Paintsville, Prestonsburg, Pikeville, Whitesburg and Harlan.

Project No. 7.—From Bardwell to Kentucky-Tennessee state line, at Fulton, via Clinton and Hickman.

Project No. 8.—From Louisville to Wickliffe, via West Point, Tiptop, Brandenburg, Hardinsburg, Hawesville, Owensboro, Henderson, Morganfield, Marion, Simthland and Paducah.

Project No. 9.—From Paducah to Kentucky-Tennessee state line, via Mayfield and Murray.

Project No. 10.—From Owensboro to Smithland, via Calhoun, Central City, Greenville, Nortonville, Dawson Springs, Princeton and Eddyville.

Project No. 11.—From Owensboro to Tiptop, via Hartford, Pleasant Ridge, Morgantown, Bowling Green, Cave City, Bear Wallow, Munfordsville and Elizabethtown.

Project No. 12.—From Owensboro to Elizabethtown, via Whitesville, Fordsville and Leitchfield.

Project No. 13.—From Louisville to Florence, via Russell's Corner, Bedford, Milton, Carrollton and Warsaw.

Project No. 14.—From Morgantown to Munfordsville, via Brownsville and Mammoth Cave.

Project No. 15.—From Greenville to Kentucky-Tennessee state line, at Geddes, via Lewisburg, Russellville and Franklin.

Project No. 16.—From Hardyville to Campbellsville, via Greensburg.

Project No. 17.—From Louisville to Georgetown, via Shelbyville and Frankfort.

Project No. 18.—From Louisville to Bardstown, via Taylorsville.

Project No. 19.—From Russell's Corner to Williamstown, via LaGrange, New Castle and Owenton.

Project No. 20.—From Shelbyville to Ashland, via Lawrenceburg, Versailles, Lexington, Paris, Millersburg, Blue Lick, Mayslick, Maysville, Ribolt, Vanceburg and Greenup.

Project No. 21.—From Newport to Paris, via Alexandria, Falmouth and Cynthiana.

Project No. 22.—From Lawrenceburg to Kentucky-Tennessee state line at Isham, Tennessee, via Harrodsburg, Danville, Stanford, Somerset and Whitley City.

Project No. 23.—From Nicholasville to Kentucky-Tennessee state line, near Huntersville, via Lancaster, Stanford, Hustonville, Liberty, Jamestown, Sewellton, Seventy-six and Albany.

Project No. 24.—From Somerset to Columbia, via Jamestown.

Project No. 25.—From Danville to Lebanon.

Project No. 26.—From Frankfort to Versailles.

Project No. 27.—From Stanford to Albany, via Mt. Vernon, Somerset, Burnside and Monticello.

Project No. 28.—From London to Greenup, via Manchester, Hyden, Hazard, Hindman, Salyersville, West Liberty, Sandy Hook and Grayson.

Project No. 29.—From Richmond to Jackson, via Irvine and Beattyville.

Project No. 30.—From Richmond to Pineville, via McKee, Manchester and Red Bird.

Project No. 31.—From Beattyville to Manchester, via Booneville.

Project No. 32.—From Mt. Sterling to West Liberty, via Frenchburg.

Project No. 33.—From Owingsville to Mayslick, via Flemingsburg.

Project No. 34.—From Paintsville to Salyersville.

Project No. 35.—From Corbin to Kentucky-Tennessee state line, at Jellico, via Williamsburg.

Project No. 36.—From Pikeville to West Virginia state line near Williamson.

Project No. 37.—From Bowling Green to Willow Shade, via Scottsville and Tompkinsville.

Project No. 38.—From Middlesboro to Cumberland Gap.

Project No. 39.—From Pikeville to Louisa, via Inez.

Project No. 40.—From Albany to Glasgow, via Willow Shade and Burkesville.

Project No. 41.—From Hodgenville to Elizabethtown.

Project No. 42.—From Murray to Eggner's Ferry, near Fenton.

Project No. 43.—From Vanceburg to Flemingsburg, via Petersville.

Project No. 44.—From Taylorsville to Lawrenceburg, via Little Mount, VanBuren and Glensboro.

Project No. 45.—From Central City to Hartford, via Rockport and McHenry.

Project No. 46.—From Carrollton to West Point, via New Castle, Shelbyville, Taylorsville and Shepherdsville.

Project No. 47.—From Bardstown to Ashland, via Springfield, Harrodsburg, Nicholasville, Lexington, Winchester, Mt. Sterling, Owingsville, Morehead and Grayson.

Project No. 48.—From Augusta to Blue Lick, via Brooksville, Mt. Olivet.

Project No. 49.—From Georgetown to Warsaw, via Stamping Ground, Bethany, Owenton, Bromley, Poplar Grove and Glencoe.

Project No. 50.—From Richmond to Paris, via Winchester.

Project No. 51.—From Columbia to Kentucky-Tennessee state line, near Willow Grove, Tennessee, via Burkesville.

Project No. 52.—From Scottsville to Franklin.

Project No. 53.—From Cave City to Mammoth Cave.

Project No. 54.—From Mayfield to Fulton.

Project No. 55.—From Dutch Fish Trap Bridge to Dawson Springs, via Anton, Madisonville, Earlington.

All state and Federal moneys used in the construction and maintenance of roads in the state, except as otherwise provided in this act, shall be used in the construction and maintenance of the roads herein designated until the entire system is fully completed. The cost of construction of this entire system of state highways shall be borne entirely by the state, or by the state and Federal Government, where the roads are built in cooperation, and they shall be maintained entirely by the state, but nothing herein shall prevent any county, municipality, association, firm or individual from making a donation to the state in aid of the construction or maintenance of any of the said roads of the state and the state shall have the right to accept any donation on the terms and conditions prescribed by the State Highway Engineer. The construction and maintenance of this system of primary roads shall be under the direction, supervision and control of said engineer and he shall do all things necessary in the construction of said roads as herein required. When this system of roads has been entirely completed and fully paid for, the State Highway Engineer shall have the power to designate other roads to be constructed under the same terms and conditions, and he shall have power to construct them accordingly.

§ 6. When the State Highway Engineer has caused plans and specifications of any road, or part of road, to be made and completed and had approved same and has caused all necessary rights of way to be obtained, it shall be his duty to advertise for bids for this work. Said advertisement shall be such as to let it be generally known that said work is to be done and the said engineer shall determine the manner of advertising, but notice of the letting of any contract shall be for not less than ten days before the date thereof. The advertisement shall state the place where the bidders may examine said plans and specifi-

cations and the time and place where bids for said work will be received by said engineer. Each bidder must accompany his bid with a bond or certified check, payable to the State Treasurer, for a reasonable sum, to be fixed by the engineer, as a guarantee that if the said work is awarded to him he will enter into a contract with the said engineer for the construction of the road, or for the doing of the work mentioned in the bid. The contract shall be let by the engineer to the lowest and best bidder for the particular work covered in the bid and the successful bidder must execute a bond, payable to the Commonwealth of Kentucky, in the sum of at least twenty per cent of the estimated cost of said work, which bond must be approved by said engineer and conditioned upon the faithful performance of said work in strict conformity with the plans and specifications for the same. This bond shall be kept on file in the office of the State Highway Engineer. The said engineer is authorized and empowered to reject any bid when in his judgment the best interest of the state requires him to do so. When all bids are rejected he shall advertise for new bids as in the first place. All advertisements for bids for the construction or reconstruction of any highway or any part thereof, shall state that bids will be received for three or more distinct types of highways for which specifications have been adopted.

Said contract shall fully set out the time when work shall commence and when the contract shall be completed, as well as the time and manner of payment for the work, and the said engineer may require that a certain percentage of the contract price or a certain fixed sum shall not be paid to the contractor until after the expiration of some date certain from the completion of the work and the acceptance thereof. When any contract provides for a partial payment based upon the amount of work done, it shall be the duty of the representative of the state road department in charge of said work, as such payment becomes due, to present to said engineer a certificate signed by the representative in which certificate shall

be stated as nearly as can be the amount of work done for which payment is to be made. If the said engineer is satisfied that the amount certified is due, he shall request the Auditor to draw his warrant on the Treasurer for the required amount and the Auditor shall carry out said request. When the work under contract shall have been fully completed, the representative of the State Highway Engineer shall prepare a detailed and itemized statement of the cost of the work done, certifying same to the state highway engineer, and if it is found correct, the said engineer shall certify to the Auditor. the amount due the contractor and the Auditor shall draw his warrant on the Treasurer for said sum. A true copy of all specifications, bids, contracts and certifications shall be kept on file in the office of the State Highway Engineer.

§ 7. No portion of the cost of acquiring any necessary land or right of way, except a temporary right of way, nor any part of any damages incurred, awarded or paid, shall be paid out of the state road fund, but all cost of acquiring any necessary land or right of way and any damages incurred, awarded or paid shall be paid by the county out of its general fund. The State Highway Engineer is hereby authorized to institute any proceeding in the county court of the county where the land lies to have any right of way, temporary or permanent, condemned and the damages assessed. He may institute such suit or proceeding in the name of the Commonwealth and the county attorney shall represent it. He shall have the power to agree with any landowner as to the value of the right of way and if the agreement reached is approved by the county attorney, the fiscal court shall enter an order directing the payment of the amount agreed upon to the landowner, and a record of said agreement shall be spread upon the records of the county court. Any landowner may donate a right of way across his land for any road herein designated, and shall execute a deed to the State Highway Engineer for the use

and benefit of the state of Kentucky for such right of way. Condemnation proceedings may be tried at a special term of the county court called for the purpose after due notice has been given the owner and claimant of the land sought to be condemned.

The State Highway Engineer shall have the right and is hereby authorized and empowered to make agreements and contracts with the owners of private surfaced roads necessary to be incorporated in this system of state highways, where the owners are individuals or corporations, for the transfer and taking over of all the rights and interests of such private owners, for use and a part of this system of state highways; and he may agree upon the price and cost to be paid for such interests in such roads by the approval of the county judge and county attorney in each county in which such roads are located; and upon receipt of his certificate of such transfers and the total cost for same, the State Auditor shall draw his warrant upon the Treasurer for payment of the amount so certified. And said engineer may institute such legal proceedings in the proper courts as he may deem necessary for the taking over of such roads and interests of private owners therein. Or, if in his judgment, he shall deem it best, he may procure the right of way, as hereinbefore provided for, adjacent to, and alongside of such surfaced roads, crossing the same from one side to the other when he deems proper. And nothing in this act contained shall be construed to mean that the state or Federal Government shall pay for any interest that any county may own in such roads, or that any county shall pay for the interest owned by individuals or corporations in such roads.

§ 8. When any primary road herein designated must pass through a city or town, the State Highway Engineer is hereby empowered to enter into a contract with such city or town for the construction of such road if the road through the city or town is to be different from the road constructed outside of the city or town, but if the road is

the same, the cost thereof shall be paid as is the cost of other roads designated herein. In the event it is necessary to construct a road or street at a greater cost than is paid for construction of a like lineal mileage outside of the city or town, such city or town must pay the additional cost of construction, and the details shall be agreed upon between such city or town and said engineer.

§ 9. The following cities and towns in the state are hereby declared centers of construction in the primary system of state highways heretofore laid out and designated, viz.:

Ashland, Bardstown, Beattyville, Bowling Green, Corbin, Covington, Clinton, Cynthiana, Danville Frankfort, Glasgow, Harlan, Hazard, Hopkinsville, Lexington, London, Louisville, Madisonville, Maysville, Morehead, Owensboro, Pikeville, Pineville, Paducah, Leitchfield, Richmond, Russellville, Somerset, Vanceburg, West Liberty, Williamstown, Williamsburg and Winchester.

The State Highway Engineer shall begin the construction of the system of state highways from these cities and towns as nearly simultaneously as possible, and shall prosecute the work on any or all projects radiating out from these centers as rapidly as finances are available for that purpose, due regard being given to the maintenance of roads built in preceding years under state aid or otherwise which have been incorporated in this system of state highways or which have been constructed under this act.

Where roads constructed under state aid or by county or municipality or private individual, company or corporation have been incorporated in the primary system of state highways heretofore designated and have a hard surface sufficient to meet traffic needs, it shall be the duty of the State Highway Engineer to construct first those sections of any project which are not graded or surfaced.

§ 10. Bridges shall be considered as a part of the system of roads herein designated where it is necessary to con-

struct bridges as a part of said roads and the provisions of this act relating to the construction of roads shall be construed to include bridges.

§ 11. The state shall not be required to maintain any of the primary roads herein designated until such road has first been constructed by the state as herein provided; or until such road has been accepted by the state as meeting the requirements of a state road. In the construction of the system of roads as herein provided, the state shall be considered as having accepted a road when it becomes a necessary part of any road building out from any of the points designated herein and thereafter it shall be the duty of the state to maintain such roads. If any county desires to construct any part of any primary road before the state may construct same under the plan and system herein designated, such county shall make request of the State Highway Engineer so to do. When such request is made, the State Highway Engineer shall immediately investigate such request, and, if he finds that the county has funds available to construct any part of such road, and will pay for the construction thereof, the State Highway Engineer may take up immediately the construction of such road, but he shall not do so until the county has taken such steps as he may require to make available subject to his order sufficient funds to pay for the construction of such road. When the county has satisfied these requirements, the State Highway Engineer may proceed to construct such road in the same way and manner and under the same regulations that he constructs other roads as herein provided. He shall keep careful account of the money thus advanced by the county to the state, and when the project of which such road is a part shall have been completed, the state shall refund to the county the full amount of money thus advanced upon proper certification of the State Highway Engineer.

§ 12. All laws in conflict herewith are hereby repealed.

Mr. Vance, of the Committee, offered the following committee amendments to the substitute, viz.:

Amendment No. 1. Amend the substitute for House Bill No. 60 by striking from section 1 all that is contained from line 4 down to and including the words "from among its members," on line 11, and substituting in lieu therefor the following: "There is hereby created a State Highway Commission which shall consist of four members, all of whom shall be appointed by the Governor from the two dominant political parties and not more than two of whom shall be members of the same political party. One member shall be appointed from a district composed of the present First, Second and Third Congressional Districts, one from a district composed of the present Fourth and Fifth Congressional Districts, one from a district composed of the present Sixth, Seventh and Eighth Congressional Districts, and one from a district composed of the present Ninth, Tenth and Eleventh Congressonal Districts. Two of the members so appointed shall serve for two years and two shall serve for four years, and their successors shall be appointed for a term of four years. The commission shall select a chairman and secretary from among its members. Three members shall constitute a quorum to do business."

Said amendment was adopted.

Amendment No. 2. Amend the substitute for House Bill No. 60 by adding to section 1, on page 3, in line 15, after the word "State" the following: "No member of the commission shall have any interest directly or indirectly in any contract made by the commission, nor shall they own or have directly or indirectly any interest in any corporation, firm, company, association or partnership engaged in the business of mining, manufacturing, preparing or selling any road construction material or machinery or engaged in the business of road building or construction."

Said amendment was adopted.

Amendment No. 3. Amend the substitute for House Bill No. 60 by striking out, in section 1, on page 3, in line 25, after the word "it" and before the word "examine," the word "may" and substitute in lieu therefor the word "shall."

Said amendment was adopted.

Amendment No. 4. Amend the substitute for House Bill No. 60 by adding to section 3, on page 6, after the word "found," in line 20, the following: "subject to the approval of the State Highway Commission."

Said amendment was adopted.

Amendment No. 5. Amend the substitute for House Bill No. 60 by adding to section 3, on page 7, in line 22, after the word "roads," the following: "subject to the approval of the State Highway Commission."

Said amendment was adopted.

Amendment No. 6. Amend the substitute for House Bill No. 60 by striking from section 3, on page 7, after the word "power," in line 25, the following: "subject only to the limitations in this act," and substituting in lieu therefor the following: "subject to the approval of the State Highway Commission and to the limitations in this act."

Said amendment was adopted.

Amendment No. 7. Amend the substitute for House Bill No. 60 by adding to section 3, on page 7, in line 41, after the word "rights," and before the word "by" the following: "subject to the approval of the State Highway Commission."

Said amendment was adopted.

Amendment No. 8. Amend the substitute for House Bill No. 60 by striking from section 3, on page 7, in line 41, after the word "Auditor," and before the word "hereby," the words "he is" and substituting in lieu thereof the words "the State Highway Commission is."

Said amendment was adopted.

Amendment No. 9. Amend the substitute for House Bill No. 60 by striking from section 3, on page 8, after the word "act," in line 55, and before the word "hereby," in line 56, the following: "he shall have power and he is," and substitute in lieu therefor the following: "the State Highway Commission shall have the power and they are."

Said amendment was adopted.

Amendment No. 10. Amend the substitute for House Bill No. 60 by adding to section 1, on page 5, and in the second line 73, after the word "qualification," and before the word "he" the words, "he shall have not less than ten years active experience in civil and highway engineering, immediately before his appointment, or."

Said amendment was adopted.

Amendment No. 11. Amend the substitute for House Bill No. 60 by striking out all that part of section 9, on page 19, and beginning with the word "where," in line 18 and ending with the word "surfaced," in line 23.

Said amendment was adopted.

Amendment No. 12. Amend the substitute for House Bill No. 60 by adding to section 10, on page 5, and after the word "bridges," in line 4, the following words: "except bids for the construction or reconstruction of only one type of bridge shall be received and only one type shall be advertised."

Said amendment was adopted.

Amendment No. 13. Amend the substitute for House Bill No. 60 by striking from section 3, on page 8, in line 62, after the word "said," and before the word "to," in line 63, the word "engineer," and substitute in lieu therefor "State Highway Commission."

Said amendment was adopted.

Amendment No. 14. Amend the substitute for House Bill No. 60 by striking from section 3, on page 8, in line 65, after the word "act," and before the word "hereby," the words "he is," and substitute in lieu therefor the words "they are."

Said amendment was adopted.

Amendment No. 15. Amend the substitute for House Bill No. 60 by striking from section 3, on page 8, in line 74, after the word "engineer," and before the word "hereby," the words "he is," and substitute in lieu therefor the words "the State Highway Commission."

Said amendment was adopted.

Amendment No. 16. Amend the substitute for House Bill No 60 by striking from section 3, on page 9, in line 82, after the letters "ed," and before the word "shall," the word "he," and substituting in lieu therefor the word "they."

Said amendment was adopted.

Amendment No. 17. Amend the substitute for House Bill No. 60 by striking from section 3, on page 9, in line 90, after the word "said," and before the word "is," in line 91, the word "engineer," and substituting in lieu therefor the words "State Highway Commission."

Said amendment was adopted.

Amendment No. 18. Amend the substitute for House Bill No. 60 by striking from section 3, on page 9, in line 99, after the word "said," and before the word "when," the word "engineer," and substituting in lieu therefor the words "State Highway Commission."

Said amendment was adopted.

Amendment No. 19. Amend the substitute for House Bill No. 60 by striking from section 3, on page 9, in line 101, after the word "said," and before the word "the," the word "engineer," and substituting in lieu therefor the words "State Highway Commission."

Said amendment was adopted.

Amendment No. 20. Amend the substitute for House Bill No. 60 by striking from section 3, on page 9, in line 106, after the word "said," and before the word "and," the word "engineeer," and substituting in lieu therefor the words "State Highway Commission."

Said amendment was adopted.

Amendment No. 21. Amend the substitute for House Bill No. 60 by striking from section 3, on page 9, in line 107, after the word "said," and before the word "shall," the word "engineer," and substituting in lieu therefor the words "State Highway Commission."

Said amendment was adopted.

Amendment No. 22. Amend the substitute for House Bill No. 60 by striking from section 3, on page 10, in line 114, after the word "thereof," and before the word "shall," the word "he," and substituting in lieu therefor the word "they."

Said amendment was adopted.

Amendment No. 23. Amend the substitute for House Bill No. 60 by striking from section 3, on page 10, all of the subsection beginning with the word "in," in line 119½ and ending with the word "law," in line 132, and substituting in lieu therefor the following: "In addition to the foregoing enumerated powers and duties, it shall be the duty of the State Highway Commission to perform any and all other duties imposed upon them by this or any other act and particularly shall it be their duty to cause to be done all things necessary to construct and maintain the system of primary roads hereinafter designated, and where there is no provision of law covering any necessary thing to be done in the construction and maintenance of said roads; they shall do such necessary things in the way and manner best calculated, in their judgment to accomplish the necessary object, and it is intended that the provisions contained in this act shall be treated as restrictions on their powers and not a delegation of power, that is, but for the act they could have plenary powers, and they may do all things necessary in the construction and maintenance of said roads except where the power to act is denied or restricted by law."

Said amendment was agreed to.

Amendment No. 24. Amend the substitute for House Bill No. 60 by adding to section 5, on page 11, in line 6, after the word "Cadiz," and before the word "Hopkinsville," the word "Gracy."

Said amendment was adopted.

Amendment No. 25. Amend the substitute for House Bill No. 60 by striking from section 5, on page 13, all of line 60 and substituting in lieu therefor the following: "Project No. 25. From Campbellsville to Richmond, via Lebanon, Danville and Lancaster."

Said amendment was adopted.

Amendment No. 26. Amend the substitute for House Bill No. 60 by adding to section 5, on page 14, after the word "Earlington," in line 109, the following: "Project No. 56. From Harlan to Virginia state line, near Hubbard Springs, and from Poor Fork, via Benham and Lynch to Virginia state line, near Keeokee, Virginia."

Said amendment was adopted.

Amendment No. 27. Amend the substitute for House Bill No. 60 by adding to section 5, on page 14, before line 110, the following: "Project No. 57. From Williamstown to Maysville, via Falmouth, Caddo and Brooksville."

Said amendment was adopted.

Amendment No. 28. Amend the substitute for House Bill No. 60 by striking from section 5, on page 15, in line 121, after the word "highway," and before the word "the," the word "engineer," and substituting therefor the word "commission."

Said amendment was adopted.

Amendment No. 29. Amend the substitute for House Bill No. 60 by striking from section 5, on page 15, in line 123, after the word "said," and before the word "shall," in line 124, the words "engineer and he," and substituting in lieu therefor the following words: "commission and they."

Said amendment was adopted.

Amendment No. 30. Amend the substitute for House Bill No. 60 by striking from section 5, on page 15, after the word "required," in line 125, down to and including the word "accordingly," in line 128, the following:

"When this system of roads has been entirely completed and fully paid for, the State Highway Commission shall have the power to designate other roads to be constructed under the same terms and conditions, and he shall have the power to construct them accordingly."

Said amendment was adopted.

Amendment No. 31. Amend the substitute for House Bill No. 60 by striking therefrom all of section 6, on page 15, section 7, on page 17, and section 8, on page 18, and substituting for section 6 the following:

"When the State Hghway Commission has caused plans, and specifications of any road, or part of road, to be made and completed, and has approved same and has caused all necessary rights of way to be obtained, it shall be their duty to advertise for bids for this work. Twenty days prior to the letting of any bids for road construction the State Highway Commission shall advertise for bids in a newspaper of general circulation in the state for at least three consecutive days, and at the same time for at least two issues in a newspaper of general circulation in the county where said road is to be constructed. All advertising to be let to the lowest and best bidder. Said advertisement shall be such as to let it be generally known that said work is to be done. The advertisement shall state the place where the bidders may examine said plans and specifications and the time and place where bids for said work will be received by said State Highway Commission. Each bidder must accompany his bid with a bond or certified check payable to the State Treasurer for a reasonable sum to be fixed by the State Highway Commission as a guarantee that if the said work is awarded to him they will enter into a contract with the said State Highway Commission for the construction of the road, or for the doing of the work mentioned in the bid. The contract shall be let by the State Highway Commission to the lowest and best

bidder for the particular work covered in the bid and the successful bidder must execute a bond payable to the Commonwealth of Kentucky in the sum of at least twenty per cent of the estimated cost of said work, which bond must be approved by the said State Highway Commission and conditioned upon the faithful performance of said work in strict conformity with the plans and specifications for the same. This bond shall be kept on file in the office of the State Highway Commission. The said State Highway Commission is authorized and empowered to reject any bid when in their judgment the best interest of the state requires them to do so. When all bids are rejected, they shall advertise for new bids as in the first place. All advertisements for bids for the construction or reconstruction of any highway or any part thereof shall state that bids will be received for three or more distinct types of highways for which specifications have been adopted. All bids filed with the Commission and all contracts approved by them shall be kept on file in their office and be a public record, subject to inspection at all times.

Said contract shall fully set out the time when work shall commence and when the contract shall be completed, as well as the time and manner of payment for the work, and the said state Highway Commission may require that a certain percentage of the contract price or a certain fixed sum shall not be paid to the contractor until after the expiration of some date certain from the completion of the work and the acceptance thereof. When any contract provides for partial payment based upon the amount of work done, it shall be the duty of the representative of the state road department in charge of said work, as each payment becomes due, to present to said State Highway Commission a certificate signed by the representative in which certificate shall be stated as nearly as can be the amount of work done for which payment is to be made. If the said engineer is satisfied that the amount certified is due, they shall request the auditor to draw his warrant on the treasurer for the required amount and the

auditor shall carry out said request. When the work under contract shall have been fully completed, the representative of the State Highway Commission shall prepare a detailed and itemized statement of the cost of the work done, certifying same to the State Highway Commission, and if it is found correct, the said State Highway Commission shall certify to the Auditor the amount due the contractor and the Auditor shall draw his warrant on the Treasurer for said sum. A true copy of all specifications, bids, contracts and certifications shall be kept on file in the office of the State Highway Commission."

And substituting for section 7 the following:

"No portion of the cost of acquiring any necessary land or right of way, except a temporary right of way, nor any part of any damages incurred, awarded or paid, shall be paid out of the state road fund, but all cost of acquiring any necessary land or right of way and any damages incurred, awarded or paid shall be paid by the county out of its general fund. The State Highway Commission is hereby authorized to institute any proceedings in the county court of the county where the land lies to have any right of way, temporary or permanent, condemned and the damages assessed. They may institute such suit or proceeding in the name of the Commonwealth and the county attorney shall represent it. They shall have the power to agree with any landowner as to the value of the right of way and if the agreement reached is approved by the county attorney, the fiscal court shall enter an order directing the payment of the amount agreed upon to the landowner, and a record of said agreement shall be spread upon the records of the county court. Any landowner may donate a right of way across his land for any road herein designated and shall execute a deed to the State Highway Commission for the use and benefit of the state of Kentucky for such right of way. Condemnation proceedings may be tried at a special term of the county court called for the purpose after due

notice has been given the owner and claimant of the land sought to be condemned.

The State Highway Commission shall have the right and is hereby authorized and empowered to make agreements and contracts with the owners of private surfaced roads necessary to be incorporated in this system of state highways, where the owners are individuals or corporations, for the transfer and taking over of all the rights and interests of such private owners for use and a part of this system of state highways; and they may agree upon the price and cost to be paid for such interests in such roads by the approval of the county judge and county attorney in each county in which such roads are located; and upon receipt of their certificate of such transfers and the total cost for same, the State Auditor shall draw his warrant upon the treasurer for payment of the amount so certified. And said State Highway Commission may institute such legal proceedings in the proper courts as they may deem necessary for the taking over of such roads and interests of private owners therein. Or, if in their judgment, they shall deem it best, they may procure the right of way, as hereinbefore provided for, adjacent to, and alongside of such surfaced roads, crossing the same from one side to the other when he deems proper. And nothing in this act contained shall be construed to mean that the state or Federal government shall pay for any interest that any county may own in such roads, or that any county shall pay for the interest owned by individuals or corporations in such roads."

And substituting for section 8 the following:

"When any primary road herein designated must pass through a city or town, the State Highway Commission is hereby empowered to enter into a contract with such city or town for the construction of such road if the road through the city or town is to be different from the road constructed outside of the city or town, but if the road is the same, the

cost thereof shall be paid as is the cost of other roads designated herein. In the event it is necessary to construct a road or street at a greater cost than is paid for construction of a like lineal mileage outside of the city or town, such city or town must pay the additional cost of construction and the details shall be agreed upon between such city or town and said State Highway Commission."

Said amendment was adopted.

Amendment No. 32. Amend the substitute for House Bill No. 60 by striking from section 9, on page 19, in line 4, after the word "Green," and before the word "Covington," the word "Corbin," and substituting in lieu therefor the word "Fenton."

Said amendment was adopted.

Amendment No. 33. Amend the substitute for House Bill No. 60 by striking from section 9, on page 19, in line 9, after the word "town," and before the word "and," the word "Williamsburg," and substituting in lieu therefor the words "Marion, Henderson and Eddyville, Campbellsburg and Middlesboro."

Said amendment was adopted.

Amendment No. 34. Amend the substitute for House Bill No. 60 by striking from section 9, on page 19, in line 10, after the word "highway," and before the word "shall," the word "engineer" and substituting in lieu therefor the word "commission."

Said amendment was adopted.

Amendment No. 35. Amend the substitute for House Bill No. 60 by striking out all of section 11, on page 19, and substituting in lieu therefor the following: "The state shall

not be required to maintain any of the primary roads herein designated until such road has first been constructed by the state as herein provided; or until such road has been accepted by the state as meeting the requirements of a state road. In the construction of the system of roads as herein provided, the state shall be considered as having accepted a road when it becomes a necessary part of any road building out from any of the points designated herein and thereafter it shall be the duty of the state to maintain such road. If any county desires to construct any part of any primary road before the state may construct same under the plan and system herein designated, such county shall make request of the State Highway Commission so to do. When such request is made, the State Highway Commission shall immediately investigate such request, and, if they find that the county has funds available to construct any part of such road, and will pay for the construction thereof, the State Highway Commission may take up immediately the construction of such road, but they shall not do so until the county has taken such steps as they may require to make available subject to their order sufficient funds to pay for the construction of such road. When the county has satisfied these requirements, the State Highway Commission may proceed to construct such road in the same way and manner and under the same regulations that they construct other roads as herein provided. They shall keep careful account of the money thus advanced by the county to the state, and when the project of which such road is a part shall have been completed, the state shall refund to the county the full amount of money thus advanced upon proper certification of the State Highway Commission.

Said amendment was adopted.

Amendment No. 36. Amend the substitute for House Bill No. 60 by striking out all that part of section 9, on page 19,

and beginning with the word "Where," in line 18 and ending with the word "surfaced," in line 23.

Said amendment was adopted.

Mr. Duffy offered the following amendment to the substitute, viz.:

Amendment No. 37. Amend substitute House Bill No. 60 by adding thereto the following project:

"Project No. 58½. From Georgetown to Brooksville, via Cynthiana, Claysville and Milford."

Said amendment was adopted.

Mr. Caudel offered the following amendment, viz.:

Amendment No. 38. Amend House Bill No. 60 by changing Project No. 32 so it will read "from Paris to West Liberty by way of Mt. Sterling and Frenchburg."

Said amendment was adopted.

The committee offered the following amendment, viz.:

Amendment No. 39. Amend the substitute for House Bill No. 60 by adding to section 5, immediately after the project No. 58, the following:

"Project No. 59. From Carrolton to Sanfords Pond, via Worthville, Wheatly and New Liberty."

Said amendment was adopted.

The committee offered the following amendment, viz.:

Amendment No. 40. Amend the substitute for House Bill No. 60 by adding to section 5, immediately following Project No. 57, the following:

"Project No. 58. From Brownsville to Hardinsburg, via Leitchfield."

Said amendment was adopted.

Mr. Skiles offered the following amendment, viz.:

Amendment No. 41. Amend substitute House Bill No. 60 by adding, in line 62, before the words "Mt. Vernon," the words "Crab Orchard."

Said amendment was agreed to.

Mr. Murphy offered the following amendment, viz.:

Amendment No. 42. Amend House Bill No. 60 by amending Project No. 25 by adding the words "From Danville to Lebanon, via Perryville."

Said amendment was adopted.

Mr. Beckham offered the following amendment, viz.:

Amendment No. 43. Amend substitute House Bill No. 60 by striking from section 2, on page 6, in line 20 thereof, the word "ten" and inserting in lieu thereof the word "five."

Said amendment was disagreed to.

Mr. Morgan offered the following amendment, viz.:

Amendment No. 44. Amend House Bill No. 60 by striking from line 60, section 5, the following words: "From Dan-

ville to Lebanon" and substituting therefor the following words: "From Campbellsville to Richmond, via Lebanon, Danville and Lancaster." And in line 5, page 19, section 9, amend same by striking therefrom the word "Danville" and substituting therefor the word "Lancaster."

Said amendment was agreed to.

Mr. Gossett offered the following amendment, viz.:

Amendment No. 45. Project 15 to extend to Warren county line, from Franklin, Simpson county, Kentucky.

Said amendment was agreed to.

Mr. R. Lee Stewart offered the following amendment, viz.:

Amendment No. 46. Amend House Bill No. 60. Project 4, section 5, page 11, insert "Dwarf" after "Jackson," in line 14.

Said amendment was agreed to.

Mr. R. Lee Stewart offered the following amendment, viz.:

Amendment No. 47. Amend House Bill No. 60, Project No. 28, section 5, page 13, insert "Lackey" after "Henderson," in line 65.

Said amendment was agreed to.

Mr. Ballard offered the following amendment, viz.:

Amendment No. 48. Amend House Bill No. 60 by adding "Project No. 59½. From Nicholasville via Valley View to Richmond."

Said amendment was adopted.

Mr. Laughlin offered the following amendment, viz.:

Amendment No. 49. To amend project, "Georgetown to Brooksville, via Cynthiana, Claysville, Milford," that said project be numbered 58½.

Said amendment was agreed to.

Mr. Murphy offered the following amendment, viz.:

Amendment No. 50. Amend House Bill No. 60, project 21, "From Newport to Paris via Independence, Falmouth, and Cynthiana."

Said amendment was disagreed to.

Mr. Kimbrough offered the following amendment, viz.:

Amendment No. 51. Amend substitute House Bill No. 60 by inserting the word "Guthrie" after the word "Hazard," in line 6 of section 9, page 19.

Said amendment was adopted.

Mr. Ryans moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

The question was decided in the affirmative.

Mr. Strange moved to recommit H. B. 60 so that the substitute as amended could be printed.

On this motion Messrs. Hamilton and Strange demanded a roll call which was ordered.

The yeas and nays being taken, same resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | H. G. Skiles |
| W. T. Beckham | Griffin Kelly | H. A. Spillman |
| W. M. Boling | Frank Kennard | John T. E. Stites |
| T. L. Caudel | J. M. Knott | Frank L. Strange |
| B. L. Cox | Dr. S. D. Laughlin | John W. Swope |
| P. A. Day | R. L. McFerron | John B. Thomas |
| H. C. Duffy | John T. Murphy | J. Mack Thompson |
| J. W. Geveden | Chas. A. Nelson | J. H. Thompson |
| Dr. W. L. Gossett | T. P. Oliver | Dr. D. J. Travis |
| A. L. Hamilton | B. F. Reynolds | Dr. T. R. Welch |
| Dr. W. L. Haynes | Chas. R. Scott | W. G. Wheeler |
| D. J. Howard | W. P. Scott | W. N. Winn |
| Robt. Humphreys | Dr. B. F. Shields | —38 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | Henry Kaufman | S. G. Smith |
| H. H. Barnes | W. L. Kimbrough | R. Lee Stewart |
| S. M. Bennett | Hebron Lawrence | Wm. A. Stewart |
| J. M. Billiter | Joseph Lazarus | C. B. Truesdell |
| Rodney G. Bryson | Rev. J. A. Lee | John L. Trumbo |
| W. T. Carner | Elmer Lusby | J. Wood Vance |
| J. F. Carr | R. C. Marcum | Fred C. VanHoose |
| Charles M. Ciarlo | I. S. Mason | Daniel Vose |
| J. S. Cruse | A. J. McCandless | Geo. C. Waggoner |
| H. N. Dean | Homer C. McLellen | A. M. Wash |
| J. M. Foster | Mack J. Morgan | J. S. Webb |
| Dr. T. H. Gamblin | Estill W. Neel | Gladstone Wesley |
| A. F. Hanberry | T. C. Pryse | R. E. Wilborn |
| Talbert Holliday | J. L. Richardson | V. M. Williamson |
| A. R. Hudson | Sherman Robbins | Dr. W. S. Yazell |
| Adam W. Huff | B. A. Roth | |
| R. O. Huntsman | Dr. Lewis Ryans | —49 |

So the motion was lost.

Mr. Lazarus moved that the vote by which the motion to recommit was lost be reconsidered, and that that motion lie on the table.

Said motion was adopted.

Then the substitute, as amended, was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | R. O. Huntsman | Dr. Lewis Ryans |
| L. H. Ballard | Henry Kaufman | S. G. Smith |
| H. H. Barnes | Frank Kennard | R. Lee Stewart |
| S. M. Bennett | W. L. Kimbrough | Wm. A. Stewart |
| J. M. Billiter | Hebron Lawrence | John W. Swope |
| W. M. Boling | Joseph Lazarus | J. Mack Thompson |
| Rodney G. Bryson | Rev. J. A. Lee | C. B. Truesdell |
| W. T. Carner | Elmer Lusby | John L. Trumbo |
| J. F. Carr | R. C. Marcum | J. Wood Vance |
| T. L. Caudel | I. S. Mason | Fred C. VanHoose |
| Charles M. Ciarlo | A J. McCandless | Daniel Vose |
| J. S. Cruse | R. L. McFerron | Geo. C. Waggoner |
| H. N. Dean | Homer C. McLellen | A. M. Wash |
| J. M. Foster | Mack J. Morgan | J. S. Webb |
| Dr. T. H. Gamblin | Estill W. Neel | Gladstone Wesley |
| A. F. Hanberry | T. C. Pryse | R. E. Wilborn |
| Talbert Holliday | J. L. Richardson | V. M. Williamson |
| A. R. Hudson | Sherman Robbins | W. N. Winn |
| Adam W. Huff | B. A. Roth | Dr. W. S. Yazell |

—57

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | Dr. B. F. Shields |
| W. T. Beckham | J. W. Johnson | H. G. Skiles |
| B. L. Cox | Griffin Kelly | H. A. Spillman |
| P. A. Day | J. M. Knott | John T. E. Stites |
| H. C. Duffy | Dr. S. D. Laughlin | Frank L. Strange |
| J. W. Geveden | John T. Murphy | John B. Thomas |
| Dr. W. L. Gossett | Chas. A. Nelson | J. H. Thompson |
| A. L. Hamilton | B. F. Reynolds | Dr. D. J. Travis |
| Dr. W. L. Haynes | Chas. R. Scott | Dr. T. R. Welch |
| D. J. Howard | W. P. Scott | W. G. Wheeler |

—30

Mr. Huntsman offered the following amendment to the title of said bill, viz.:

Amend substitute House Bill No. 60 by inserting the figures "23" after the figures "21," in the title of the act, pages 1 and 2.

Said amendment was adopted.

Resolved, that the title be as amended as aforesaid.

Mr. Ryan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Dr. Ryans moved to recess until 1:30 p. m.

Said motion was adopted then the House at 12:45 o'clock p. m. took a recess until 1:30 p. m.

AFTERNOON SESSION.

The House reconvened at 1:30 o'clock p. m.

A message was received from the Senate announcing that the Senate had passed Senate Resolution No. 14: "Joint Resolution providing for the payment of an assistant for Superintendent of Public Printing."

Also that the Senate had passed Senate Bill No. 57, of the following title: An act to amend an act approved February 26, 1912, entitled, "An act to amend an act approved March 8, 1904, entitled, 'An act for the relief of the Court of Appeals, approved Oct. 5, 1900,'" and which is now section 962a, Carroll's Kentucky Statutes, 1915 edition.

Said bill was referred to the Committee on Judiciary.

Also that the Senate had passed Senate Bill No. 39, of the following title: An act entitled an act to amend an act approved March 20, 1914, chapter 69, session 1914, Carroll's Statutes, section 2739, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Said bill was referred to the Committee on Revenue and Taxation

Also that the Senate had concurred in House Bill No. 49, entitled: An act to change and fix the time for holding terms of circuit court in the Fifth Circuit Court Judicial District of Kentucky (composed of the counties of Henderson, Union and Webster), and declaring an emergency.

Ordered, that said bill be enrolled.

Also that the Senate had rejected House Resolution No. 23, which reads as follows:

H. Resolution. Resolved, that the House of Representatives invite the Senate to assemble with them in a joint session for the purpose of hearing Dr. Elam, of Nashville, Tennessee, and Superintendent Colvin, of this city, discuss House Bill No. 122, Tuesday at 1:30 p. m., February 17, 1920.

Also that the Senate had concurred in House Resolution No. 22: "Resolution regarding the United States Public Health Service."

Ordered, that said resolution be enrolled.

Also that the Senate had passed Senate Bill No. 80, entitled, An act to repeal and re-enact section 495 of chapter 14 of the Civil Code of Practice, of the state of Kentucky, Carroll's edition, 1919, relating to dower—sale of and compensation for.

Ordered, that said bill be printed for the House and referred to the Committee on Codes of Practice.

Also that the Senate had passed Senate Bill No. 90, entitled, An act repealing sections 177, 178, 183, 185, 186 of the common school law, the same being sections 4501, 4502, 4502a-4, 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, relating to the certification of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

Ordered, that said bill be printed for the House and referred to the Committee on Education No. 1.

Mr. Vance was appointed as a messenger to the Senate to announce that the House had passed House Bill No. 396.

After a time Mr. Vance reported that he had performed that duty.

Mr. McLellen moved to suspend the rules and to take up for immediate consideration Senate Resolution No. 13, providing for the payment of the Legislative Digest.

Said motion was agreed to.

Said resolution read as follows:

Resolution providing for the purchase of copies of the Legislative Digest, adopted at the session of 1918 as the official publication of this General Assembly, for the members of the General Assembly and certain officials.

Whereas, it is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and,

Whereas, this General Assembly for the past six sessions has approved and adopted as its official publication "The Legislative Digest," a publication under the editorship and management of competent and experienced persons, the purpose of which is to fully advise from day to day the officials and public of the Commonwealth as to the matter affecting them in an intelligent and prompt manner; therefore,

*Be it resolved by the Senate of Kentucky, the House of Representatives concurring*:

That the publishers of the Legislative Digest are hereby directed to furnish daily a copy to each member and the clerks of the General Assembly and to the heads of each state department during the time of this session; that the publishers are allowed the sum of $10.00 for each subscription for the session, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded.

Then the House took up for consideration said resolution and a roll call being demanded thereon resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| L. H. Ballard | J. M. Knott | H. G. Skiles |
| Lon Adams | Dr. S. D. Laughlin | S. G. Smith |
| H. H. Barnes | Hebron Lawrence | H. A. Spillman |
| W. T. Beckham | Joseph Lazarus | John T. E. Stites |
| Rodney G. Bryson | Rev. J. A. Lee | Frank L. Strange |
| T. L. Caudel | Elmer Lusby | John W. Swope |
| J. S. Cruse | I. S. Mason | J. Mack Thompson |
| P. A. Day | R. L. McFerron | J. H. Thompson |
| H. N. Dean | Homer C. McLellen | Dr. D. J. Travis |
| J. M. Foster | Mack J. Morgan | John L. Trumbo |
| Dr. T. H. Gamblin | John T. Murphy | Fred C. VanHoose |
| J. W. Geveden | Chas. A. Nelson | Daniel Vose |
| A. L. Hamilton | T. P. Oliver | Geo. C. Waggoner |
| Dr. W. L. Haynes | T. C. Pryse | A. M. Wash |
| Talbert Holliday | B. F. Reynolds | J. S. Webb |
| D. J. Howard | Sherman Robbins | Dr. T. R. Welch |
| A. R. Hudson | B. A. Roth | Gladstone Wesley |
| Robt. Humphreys | Dr. Lewis Ryans | W. G. Wheeler |
| J. W. Johnson | Chas. R. Scott | V. M. Williamson |
| Henry Kaufman | W. P. Scott | W. N. Winn |
| Griffin Kelly | Dr. B. F. Shields | Dr. W. S. Yazell |

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Those who voted in the negative were—

| | | |
|---|---|---|
| W. L. Kimbrough | A. J. McCandless | Estill W. Neel |

—3

So the resolution was concurred in.

Mr. Hamilton moved that the vote by which said resolution was concurred in be reconsidered and that that motion lie on the table.

Mr. McLellen moved that the rules be suspended and that Senate Resolution No. 14 be placed on its passage.

Said motion was agreed to.

Said resolution reads as follows:

Joint resolution providing for payment of assistant for Superintendent of Public Printing.

Whereas, during the session of the General Assembly it has been impossible for the Superintendent of Public Printing, unaided, to expeditiously look after the printing of bills and resolutions, and,

Whereas, during all of the present session of this General Assembly he has had in his office a clerk, assisting him in said work and doing stenographic work for the members of the Senate and House in the preparation of bills and resolution; therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

That Moses R. Glenn, Superintendent of Public Printing, be allowed the sum of $250.00, to be expended by him in the payment of help in the care of all printed bills and other matters pertaining to printing during the present session of the General Assembly, said services when obtained to terminate when this General Assembly adjourns, and the Auditor of Public Accounts shall draw his warrant upon the Treasurer for payment of said sum.

A roll call thereon being demanded, resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. F. Carr | Dr. T. H. Gamblin |
| Sidney Alfrey | T. L. Caudel | J. W. Geveden |
| H. H. Barnes | B. L. Cox | A. L. Hamilton |
| W. T. Beckham | J. S. Cruse | A. F. Hanberry |
| J. M. Billiter | P. A. Day | Dr. W. L. Haynes |
| Rodney G. Bryson | H. N. Dean | Talbert Holliday |
| W. T. Carner | J. M. Foster | A. R. Hudson |

| | | |
|---|---|---|
| Adam W. Huff | T. P. Oliver | J. Mack Thompson |
| Robt. Humphreys | T. C. Pryse | J. H. Thompson |
| J. W. Johnson | B. F. Reynolds | Dr. D. J. Travis |
| Henry Kaufman | J. L. Richardson | John L. Trumbo |
| Griffin Kelly | Sherman Robbins | J. Wood Vance |
| Frank Kennard | B. A. Roth | Fred C. VanHoose |
| W. L. Kimbrough | Dr. Lewis Ryans | Daniel Vose |
| J. M. Knott | Chas. R. Scott | Geo. C. Waggoner |
| Dr. S. D. Laughlin | W. P. Scott | A. M. Wash |
| Hebron Lawrence | Dr. B. F. Shields | J. S. Webb |
| Joseph Lazarus | H. G. Skiles | Dr. T. R. Welch |
| Rev. J. A. Lee | S. G. Smith | Gladstone Wesley |
| Elmer Lusby | H. A. Spillman | W. G. Wheeler |
| R. C. Marcum | R. Lee Stewart | R. E. Wilborn |
| I. S. Mason | Wm. A. Stewart | V. M. Williamson |
| Homer C. McLellen | John T. E. Stites | W. N. Winn |
| John T. Murphy | Frank L. Strange | Dr. W. S. Yazell |
| Estill W. Neel | John W. Swope | |
| Chas. A. Nelson | John B. Thomas | —76 |

Those who voted in the negative were—

| | | |
|---|---|---|
| L. H. Ballard | A. J. McCandless | —2 |

So said resolution was concurred in.

Mr. McLellen moved that the vote by which said resolution was concurred in be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Hamilton, of the Committee on Enrollments, reported that said committee had compared Senate Resolution No. 11 as enrolled with the original thereof and had found same correctly enrolled.

Thereupon all other business in the House was suspended and said resolution was read at length and compared in open House and found to be correct.

Thereupon same was signed by the Speaker of the House.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Hamilton, of the Committee on Enrollments, reported that said committee had compared Senate Resolution No. 12 as enrolled with te original thereof and had found same correctly enrolled.

Thereupon all other business in the House was suspended and said resolution was read at length and compared in open House and found to be correct.

Thereupon the same was signed by the Speaker of the House.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

Upon a call of the counties and legislative districts for the introduction of bills, the following bills were introduced, ordered to be printed, and referred to the committees indicated:

By Mr. Neel:

H. B. 444. An act requiring all foreign corporations, except foreign insurance companies, and except foreign corporations of a purely charitable, social, fraternal, benevolent and religious nature, and not operated for profit, to file with the Secretary of State, at Frankfort, Kentucky, a certified copy of its articles of incorporation, and annually a sworn

statement of its assets, liabilities, amount of capital stock paid up and issued, the location of its places of business in this Commonwealth and the names of its agents upon whom process can be served, and any amendments to its articles of incorporation, and requiring the payment of an annual fee of ten dollars for such statements so filed; and fixing the penalty of doing business without having first filed said statement.

To Committee on Corporate Institutions.

By Mr. Haynes:

H. B. 445. An act requiring hotel and inn keepers to keep posted in a conspicuous place in each room under their charge, a printed statement showing the price to be charged the guest occupying said room per day and prescribing the penalties for the violation thereof.

To Committee on Kentucky Statutes.

By Mr. McLellen:

H. B. 446. An act to amend and re-enact section 112 and to repeal section 116 of an act entitled, "An act for the government of cities of the first class," approved July 1, 1893.

To Committee on Municipalities.

By Mr. McLellen:

H. B. 447. An act to enable any city of the first class to provide for constructing, erecting and equipping buildings, and grounds of the College of Arts and Sciences of its Municipal University.

To Committee on Municipalities.

By Mr. Adams:

H. B. 448. An act to amend and re-enact section 1403 of the Kentucky Statutes as amended by an act of 1912.

To Committee on Kentucky Statutes.

By Mr. Richardson:

H. B. 449. An act to render void any provisions in a will that any beneficiary, legatee or devisee who may contest the provisions of the said will shall forfeit his legacy or bequest, devise or benefit under such will or that the same should otherwise be affected by such contest.

To Committee on Kentucky Statutes.

By Mr. Cox:

H. B. 450. An act amending and re-enacting section 2, of chapter 138 of the Session Acts of 1918, same being on page 585 of the published Acts of 1918, relating to the amount of taxes counties may levy for school purposes, and providing for their collection.

To Committee on Education No. 1.

By Mr. Cox:

H. B. 451. An act amending section 4502a, Kentucky Statutes (Carroll's edition, 1915), relating to the powers of the State Board of Education in the matter of teachers' certificates.

To Committee on Education No. 2.

By Mr. Winn:

H. B. 452. An act repealing sections 15 and 16 of chapter 112 of the acts of the General Assembly, 1918, relating to

dogs, the promotion of live stock industry and the protection of live stock and poultry from damage by dogs, etc., and re-enacting the same with certain modifications thereof.

To Committee on Agriculture.

By Mr. Smith:

H. B. 453. An act authorizing judges of circuit courts, other than courts of continuous session, to change the terms of their courts and repealing all laws in conflict with same.

To Committee on Judiciary.

By Mr. Yazell:

H. B. 454. An act relating to unlawful carnal knowledge of an idiot, lunatic, imbecile, feeble-minded person or person of any other unsoundness of mind, and prescribing and fixing penalties for violation thereof.

To Committee on Criminal Law.

By Mr. Yazell:

H. B. 445. An act pensioning dependent mothers and relating thereto.

To Committee on Appropriations.

By Mr. VanHoose:

H. B. 456. An act imposing the duties of the State Text Book Commission upon the State Board of Education and repealing subsection 1 of section 4421a, Kentucky Statutes.

To Committee on Education No. 1.

By Mr. Travis:

H. B. 457. An act to authorize the valuation of bonds and other securities by insurance companies and fraternal beneficiary associations, by the amortization method.

To Committee on Insurance, Life and Accident.

By Mr. Lawrence:

H. B. 458. An act making it unlawful to advertise breeding stock giving terms for seasons, pedigree, etc.

To Committee on Criminal Law.

By Mr. Roth:

H. B. 459. An act to authorize and permit boards of trustees and boards of education in the districts, counties and cities in this state to employ nurses to care for certain children enrolled as pupils, and to employ dentists to care for mouths of such children as shall need such attention

To Committee on Education No. 1.

By Mr. Roth:

H. B. 460. An act to amend, enlarge and re-enact section 3028, Kentucky Statutes, Carroll's edition of 1915 (being section 242 of the act approved July 1, 1893, entitled, "An act for the government of cities of the first class") relating to the sale of liquor by druggists and apothecaries, in cities of the first class, upon the prescriptions of physicians.

To Committee on Municipalities.

By Mr. Vose:

H. B. 461. An act to repeal an act of the General Assembly of Kentucky, approved March 21, 1906, entitled, "An

act to establish a system of State Normal Schools in Kentucky; to create a Board of Regents for the general management thereof; to create a normal executive council which shall determine the requirements of admission and graduation, and the courses of study for the said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance;" to repeal an act of the General Assembly of Kentucky, approved March 21, 1908, entitled, "An act to amend an act approved March 21, 1908, entitled, 'An act to establish a system of State Normal Schools in Kentucky, to create a Board of Regents for the general management thereof; to create a Normal Executive Council, which shall determine the requirements of admission and graduation, and the courses of study for said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance;' " to re-establish a system of State Normal Schools in Kentucky; to re-create a Board of Regents for the general management thereof; to re-create a Normal Executive Council, which shall determine the requirements for admission and graduation, and the courses of study for the said schools; to re-create a commission which shall determine the location of said schools; and to appropriate funds for their maintenance; to change the name of "Eastern Kentucky State Normal School," located at Richmond, Kentucky, to "Central Kentucky State Normal School," and to locate the "Eastern Kentucky State Normal School" at Louisa, Kentucky.

To Committee on Normal Schools.

By Mr. Vose:

H. B. 462. An act to amend and re-enact sections 1 and 2 of "An act to amend and re-enact an act entitled, 'An act relating to revenue and taxation, providing an anual tax upon property subject to taxation in this state; fixing the rate thereof; distributing said tax to various departments and state

institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations; designating what classes of property shall be subject to local taxation; fixing time for collecting taxes on omitted personal property in certain cases; requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property; conferring power on taxing authorities to examine books and accounts of fiduciaries; requiring payment of taxes before final discharge; providing an additional tax for recording mortgages; making failure to pay taxes a bar to enforcement of indebtedness in certain cases; fixing penalties and repealing existing statutes' and approved at a special session of the State Legislature, 1917; providing that the revenues accruing to the University of Kentucky, and to the State Normal Schools shall be in lieu of the revenue provided and the appropriations made in section one of section four thousand five hundred and thirty-five b, section four thousand six hundred and thirty-six b and subsection five of section four thousand six hundred and thirty-six c of the Kentucky Statutes, edition of one thousand nine hundred and fifteen, and of chapter one hundred and twenty, Acts of one thousand nine hundred and four, and subsections twenty-nine, thirty-five e and thirty-six of section four thousand five hundred and htirty-five of the Kentucky Statutes, edition one thousand nine hundred and fifteen," approved March 5, 1918.

To Committee on Revenue and Taxation.

By Mr. Webb:

H. B. 463. An act for the better protection of passengers and property on railroads within the confines of this Commonwealth.

To the Committee on Railroads.

By Mr. Trumbo:

H. B. 464. An act to amend and re-enact subsections 14 and 29 of section 217 (a) of the Kentucky Statutes, being sections 14 and 29 of chapter 18 of the Acts of 1906, as amended by chapter 28 of the Acts of 1908, relating to the amount to be charged and recovered for the board of pay patients at the several charitable institutions maintained by the state.

To Committee on Charitable Institutions.

By Mr. Cruse:

H. B. 465. An act to amend and re-enact section 10 of chapter 54 of the Acts of the General Assembly of 1918, which relates to the establishment of a farm colony for the feeble-minded, and the purchase of land therefor.

To Committee on Prisons and Houses of Reform.

By Mr. Huntsman:

H. B. 466. An act imposing a license tax on taverns and hotels, and defining same; on trading stamp companies, and defining same; on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers; railroad eating houses; dealers in patent and proprietary medicines; restaurants; real estate agents; and defining same; on shooting galleries; on retail dealers in soft drinks and ice cream, and defining same; on theatres, and defining same; on gasoline filling stations; garages; on garages and gasoline filling stations combined; and automobile agents.

To Committee on Revenue and Taxation.

By Mr. Huntsman:

H. B. 467. An act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax to the state of Kentucky, or any county, city, town, municipality or other political subdivision thereof; and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings.

To Committee on Racing Commission.

By Mr. Wash:

H. B. 468. An act to amend and re-enact section 2 of an act approved March 17, 1914, entitled, "An act to further regulate the admission of inmates of the House of Reform."

To the Committee on State Prisons and Houses of Reform.

By Mr. Wash:

H. B. 469. An act to amend and re-enact section 5 of chapter 36 of the Acts of the General Assembly of 1916, relating to the working of convicts on public roads and bridges.

To Committee on Public Roads and Highways.

By Mr. Morgan:

H. B. 470. An act to amend and re-enact section 11 of chapter 69 of the Acts of 1918, entitled, "An act to suppress, prevent, control and eradicate communicable diseases in live stock; to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's edition, Kentucky Statutes."

To Committee on Agriculture.

By Mr. Morgan:

H. B. 471. An act to amend section 4 of chapter 118 of the Session Acts of 1918, entitled, "An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses."

To Committee on Agriculture.

By Mr. Morgan:

H. B. 472. An act to promote the production of eggs in this Commonwealth by requiring the candling of all eggs intended for market during certain seasons and providing penalties for the violation thereof.

To Committee on Agriculture.

Dr. Haynes moved to suspend the rules and place Senate Resolution No. 15 upon its passage.

Said motion was agreed to.

Mr. Richardson then moved that the House do concur in Senate Resolution No. 15, "Joint Resolution extending time of committee appointed to investigate the charitable and penal institutions to make their report."

Said resolution reads as follows, viz.:

Joint Resolution extending time of committee appointed to investigate the charitable and penal institutions to make their report.

Whereas, the General Assembly has heretofore, by joint resolution, provided for the appointment of a committee to investigate the condition of the charitable and penal institutions of the Commonwealth, which committee was to consist of one Democratic and one Republican Senator, and one Democratic and two Republican members of the House of Representatives, to be appointed by the presiding officers of the two respective Houses of the General Assembly; and, whereas, in pursuance of said resolution Senators Early and Rives and Representatives Haynes, Hanberry and Richardson were appointed as members of said committee; and, whereas, the said committee was, by the terms of said joint resolution, required to report to the respective Houses of the General Assembly on the 20th day of February, 1920; and, whereas, it appears that it will be impossible to make the investigation as thoroughly as is desirable for the purposes set forth in said joint resolution by said February 20, 1920; now, therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

That the said committee be given further time until March 10th, to make their report and that said committee be instructed to first finish the investigation of any institution which they have heretofore partially investigated, and then if they shall not have time to complete the investigation of all the charitable and penal institutions of the state, as contemplated by said resolution, that said committee make report by said March 10th of such investigation as they may have then made and they then be finally discharged.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Henry Kaufman | Dr. B. F. Shields |
| Sidney Alfrey | W. L. Kimbrough | H. G. Skiles |
| L. H. Ballard | J. M. Knott | S. G. Smith |
| H. H. Barnes | Dr. S. D. Laughlin | H. A. Spillman |
| S. M. Bennett | Hebron Lawrence | Wm. A. Stewart |
| J. M. Billiter | Joseph Lazarus | John T. E. Stites |
| Rodney G. Bryson | Elmer Lusby | John W. Swope |
| W. T. Carner | R. C. Marcum | John B. Thomas |
| J. F. Carr | I. S. Mason | J. Mack Thompson |
| T. L. Caudel | A. J. McCandless | J. H. Thompson |
| B. L. Cox | R. L. McFerron | Dr. D. J. Travis |
| P. A. Day | Homer C. McLellen | C. B. Truesdell |
| H. N. Dean | John T. Murphy | John L. Trumbo |
| J. M. Foster | Estill W. Neel | J. Wood Vance |
| Dr. T. H. Gamblin | Chas. A. Nelson | Fred C. VanHoose |
| J. W. Geveden | T. P. Oliver | Daniel Vose |
| Dr. W. L. Gossett | T. C. Pryse | A. M. Wash |
| A. F. Hanberry | B. F. Reynolds | J. S. Webb |
| Dr. W. L. Haynes | J. L. Richardson | Dr. T. R. Welch |
| D. J. Howard | Sherman Robbins | Gladstone Wesley |
| A. R. Hudson | Dr. Lewis Ryans | W. G. Wheeler |
| Robt. Humphreys | Chas. R. Scott | R. E. Wilborn |
| J. W. Johnson | W. P. Scott | W. N. Winn |

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So said resolution was concurred in.

Mr. Hudson moved that the vote by which said resolution was concurred in be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Neel moved that the Committee on Revenue and Taxation be now allowed to report on House Bills Nos. 198, 298 and 271.

Mr. Ryan moved to amend said motion by adding that the Committee on Charitable Institutions be allowed to report.

Said motion was agreed to.

Then said motion as amended was agreed to.

Mr. Hanberry, of the Committee on Charitable Institutions, reported Senate Bill No. 3, "A joint resolution of the Senate and House of Representatives of the General Assembly of Kentucky, providing for the submission to the voters of the state an amendment to the Constitution providing that all amendments proposed to the Constituion of the United States shall be submitted to the vote of the people by the Secretary of State before acted upon by the Legislature of the state."

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and ordered to be placed in the calendar.

By Mr. Neel, of the Committee on Revenue and Taxation:

H. B. 198. An act fixing a tax rate on real estate for state purposes; providing for its distribution and requiring the assessment of real estate biennially.

With the expression of opinion that same ought not to pass.

Also with the minority report that said bill "ought to pass," signed by Messrs. Swope. Humphreys, J. H. Thompson, Wheeler and Hardin.

Mr. Wash moved to limit speeches on House Bill No. 198 to fifteen minutes.

Said motion was agreed to.

Mr. J. H. Thompson moved that the report of the minority of the committee be substituted for the majority report.

A roll call thereupon being demanded by Messrs. J. H. Thompson and Hamilton resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. M. Knott | John T. E. Stites |
| W. M. Boling | Dr. S. D. Laughlin | Frank L. Strange |
| Jo F. Bosworth | Hebron Lawrence | John W. Swope |
| T. L. Caudel | Elmer Lusby | John B. Thomas |
| P. A. Day | John T. Murphy | J. H. Thompson |
| J. W. Geveden | Chas. A. Nelson | Dr. D. J. Travis |
| Dr. W. L. Gossett | B. F. Reynolds | J. Wood Vance |
| A. L. Hamilton | Chas. R. Scott | Geo. C. Waggoner |
| Robt. Humphreys | W. P. Scott | Dr. T. R. Welch |
| J. W. Johnson | Dr. B. F. Shields | W. G. Wheeler |
| Griffin Kelly | H. G. Skiles | R. E. Wilborn |
| Frank Kennard | H. A. Spillman | W. N. Winn |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | Dr. T. H. Gamblin | R. L. McFerron |
| L. H. Ballard | A. F. Hanberry | Homer C. McLellen |
| S. M. Bennett | Talbert Holliday | Estill W. Neel |
| J. M. Billiter | A. R. Hudson | T. P. Oliver |
| Rodney G. Bryson | Adam W. Huff | T. C. Pryse |
| W. T. Carner | R. O. Huntsman | J. L. Richardson |
| J. F. Carr | Henry Kaufman | Sherman Robbins |
| Charles M. Ciarlo | W. L. Kimbrough | B. A. Roth |
| J. S. Cruse | Joseph Lazarus | Dr. Lewis Ryans |
| H. N. Dean | R. C. Marcum | S. G. Smith |
| H. C. Duffy | I. S. Mason | R. Lee Stewart |
| J. M. Foster | A. J. McCandless | Wm. A. Stewart |

| | | |
|---|---|---|
| C. B. Truesdell | Daniel Vose | Gladstone Wesley |
| John L. Trumbo | A. M. Wash | Dr. W. S. Yazell |
| Fred C. VanHoose | J. S. Webb | —44 |

So said motion was lost.

Mr. Lazarus moved that the vote by which said motion was lost be reconsidered and that that motion lie on the table.

Said motion was adopted.

Mr. Lazarus moved that the report of the majority of the Committee on Revenue and Taxation on House Bill No. 198 be adopted as the decision of the House.

Said motion was agreed to.

Said bill was refused its first reading.

By same:

H. B. 271. An act authorizing counties and other taxing school districts, including cities and towns maintaining a separate system of public schools, to impose a tax on intangible property and money on deposit in banks and trust companies for local school purposes and prescribing the limits of such tax rate.

With the expression of opinion that same ought not to pass.

Mr. Wash moved to adopt the report of the committee as the decision of the House.

Said motion was agreed to.

The first reading of the bill was refused.

By same:

H. B. 281. An act subjecting to local taxation farm implements and farm machinery owned by a person actually engaged in farming and used in his farm operations, and machinery and products in course of manufacture of persons, firms and corporations actually engaged in manufacturing and their raw material actually on hand at their plants for the purpose of manufacture; but exempting from local taxation property of said classes not exceeding five hundred dollars to each taxpayer.

With the expression of opinion that same ought not to pass.

Mr. Lazarus moved to adopt the report of the committee as the decision of the House.

Said motion was agreed to.

Said bill was refused its first reading.

Mr. Murphy moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:55 o'clock p. m., adjourned.

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WEDNESDAY, FEBRUARY 18, 1920.

The House was called to order at 10 o'clock A. M. by the Speaker, Mr. Bosworth.

The House was opened by prayer by Rev. S. S. Daughtry, of the Presbyterian church.

The roll call to ascertain the presence of a quorum resulted as follows:

| | | |
|---|---|---|
| Lon Adams | A. R. Hudson | B. A. Roth |
| Sidney Alfrey | Adam W. Huff | Dr. Lewis Ryans |
| L. H. Ballard | Robt. Humphreys | Chas. R. Scott |
| H. H. Barnes | R. O. Huntsman | W. P. Scott |
| W. T. Beckham | J. W. Johnson | Dr. B. F. Shields |
| S. M. Bennett | Henry Kaufman | H. G. Skiles |
| J. M. Billiter | Griffin Kelly | S. G. Smith |
| W. M. Boling | Frank Kennard | H. A. Spillman |
| Jo F. Bosworth | W. L. Kimbrough | Wm. A. Stewart |
| Rodney G. Bryson | J. M. Knott | John T. E. Stites |
| W. T. Carner | Hebron Lawrence | Frank L. Strange |
| J. F. Carr | Joseph Lazarus | John W. Swope |
| T. L. Caudel | Rev. J. A. Lee | John B. Thomas |
| Charles M. Ciarlo | Elmer Lusby | J. Mack Thompson |
| J. S. Cruse | R. C. Marcum | Dr. D. J. Travis |
| P. A. Day | I. S. Mason | C. B Truesdell |
| H. N. Dean | A. J. McCandless | John L. Trumbo |
| J. B. Denues | R. L. McFerron | J. Wood Vance |
| H. C. Duffy | Homer C. McLellen | Fred C. VanHoose |
| J. M. Foster | Mack J. Morgan | Daniel Vose |
| Dr. T. H. Gamblin | John T. Murphy | Geo. C. Waggoner |
| J. W. Geveden | Estill W. Neel | A. M. Wash |
| Dr. W. L. Gossett | Chas. A. Nelson | J. S. Webb |
| A. L. Hamilton | T. P. Oliver | Dr. T. R. Welch |
| A. F. Hanberry | T. C. Pryse | Gladstone Wesley |
| E. C. Hardin | B. F. Reynolds | W. G. Wheeler |
| Dr. W. L. Haynes | J. L. Richardson | R. E. Wilborn |
| Talbert Holliday | Sherman Robbins | V. M. Williamson |
| D. J. Howard | Lee Rogers | W. N. Winn |

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On motion of Mr. Roth the reading of the Journal was dispensed with and the Journal was approved.

Special Orders for today: House Bill No. 185 at 11 a. m.; House Bill No. 181 at 11 a. m.

Bills delivered to committees: Senate Bills Nos. 90, 80, 39 and 57.

Mr. Hudson moved to hear the reports of standing committees.

Said motion was adopted.

Upon a call of the standing committees for reports the following Bills were reported:

By Mr. Hudson, of the Committee on Agriculture:

H. B. 419. An Act to repeal and re-enact Section 1112, Kentucky Statutes, relating to change of venue in criminal cases.

With the expression of opinion that same ought to pass.

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

H. B. 329. An Act to repeal and re-enact Section 2 of an Act approved March 29, 1918, entitled An Act making unlawful to buy, bargain, sell or loan, own, have in possession, or to operate or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still, and providing a penalty for any violation of this Act, and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned.

With the expression of opinion that same ought to pass.

By Mr. Marcum, of the Committee on County and City Courts:

H. B. 143. An Act to amend and re-enact Section 3513 of Carroll's Edition of the Kentucky Statutes.

With the expression of opinion that same ought to pass, with an amendment.

By Mr. Richardson, of the Committee on Criminal Law:

H. B. 128. An Act to regulate the transportation of nitro-glycerine, dynamite or other high explosives over the highways of this Commonwealth, and providing penalties for violations thereof.

With the expression of opinion that same ought to pass, with an amendment.

By same:

H. B. 388. An Act entitled An Act to amend Section 1259, Chapter 36, Carroll's Edition of Kentucky Statutes of 1909, by striking from the second line thereof the word "enclosed" relating to misdemeanor and offense against property.

With the expression of opinion that same ought to pass.

By Mr. Vose, of the Committee on Corporate Institutions:

S. B. 23. An Act to amend and re-enact Section 561 Kentucky Statutes, Carroll's Edition, 1915, relating to the termination of the existence of corporations, by providing that declaration of such termination shall be filed in the office of the Secretary of State.

With the expression of opinion that same ought to pass.

By Mr. Waggoner, of the Committee on Cities of the Fourth Class:

H. B. 342. An Act to repeal Section 3484 of the Kentucky Statutes, Carroll's Edition, 1915, and to enact the following in lieu thereof.

With the expression of opinion that same ought to pass.

By Mr. Wash, of the Committee on Education No. 1:

H. B. 358. An Act to amend An Act entitled "An Act to amend Section 6 of an act approved March 23, 1910, entitled 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable Boards of Education or Boards of School Trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy,'" being Chapter 121 of the Acts of 1916; and also to amend subsection 7 of section 2978c of the Kentucky Statutes (Edition of 1915) relating to the duties of truant officers.

With the expression of opinion that same ought to pass.

By Mr. Cain, of the Committee on Immigration and Labor:

H. B. 135. An Act to protect the health, morals and welfare of women and minors employed in industry by establishing a minimum wage commission and providing for the determination of minimum wages for women and minors.

With the expression of opinion that same ought to pass.

Mr. Bryson moved to re-commit H. B. 135 to the Committee on Immigration and Labor.

Said motion was agreed to.

Mr. Bryson then moved that the vote by which said bill was re-committed be reconsidered and that that motion lie on the table.

This motion was agreed to.

Said bill was delivered to the Committee.

By Mr. Roth, of the Committee on Municipalities:

H. B. 350. An Act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent, and other children; and providing for the creation and maintenance of a Board to establish and maintain such institution, and defining the powers and duties of said Board; and permitting, in such counties, a consolidation, under such Board, of municipal and county institutions engaged in such work; and providing for the conveyance to, and the acceptance by, such Board, of property for the use of such Board in carrying out the purposes of this Act; and authorizing the levy and collection of taxes to raise funds for the purposes of this Act; and repealing the act approved March 15, 1912, entitled "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this act; and repealing the act approved March 9, 1854, creating the Board of Managers

of the Louisville House of Refuge and all Acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the Act approved March 3, 1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, and for other related purposes.

With the expression of opinion that same ought to pass.

By same.

H. B. 284. An Act to enable cities of the first class to construct additions and make more perfect their systems for the disposition of sewage, and to amend and re-enact section 14 of an Act entitled "An Act to enable cities of the first class to construct an extension to their systems for the disposition of sewage," approved March 18, 1912.

With the expression of opinion that same ought to pass.

By Mr. Morgan, of the Committee on Agriculture:

H. B. 201. An Act to amend Section 4821, Kentucky Statutes, Carroll's Edition, 1915, relating to weights and measures.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

H. B. 421. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation,

foreign or domestic, by requiring an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

With the expression of opinion that same ought to pass.

By same.

H. B. 352. An Act prescribing the duties of the Clerk of the State Fiscal Court, and providing for compensation for his services required hereinunder.

With the expression of opinion that same ought to pass.

By same.

H. B. 351. An Act to amend and re-enact Section 112 and to repeal Section 116, of an Act entitled "An Act for the government of cities of the first class," approved July first, one thousand eight hundred and ninety-three.

With the expression of opinion that same ought to pass.

By same.

H. B. 23. An Act to amend Section 356 of the Kentucky Statutes relating to the fees allowed jailers in counties having within their boundaries cities of the first class,

With the expression of opinion that same ought to pass, with amendments.

By same.

H. B. 355. An Act providing the manner in which judges of the Court of Appeals of the Commonwealth of Kentucky and judges of the Circuit Courts of the Commonwealth of Kentucky are to be nominated and elected, and making it unlawful for any political party or organization to nominate any person as a candidate for Judge of the Court of Appeals or for Circuit Judge, and making it unlawful for any candidate for said offices to seek or accept the nomination for such office as the candidate of any political party or organization, and prescribing the manner in which the names of candidates for said offices are to be placed upon the official general election ballot.

With the expression of opinion that same ought to pass.

By same.

H. B. 354. An Act to amend and re-enact Section 1488 Kentucky Statutes (Carroll's 1915 Edition), and also to amend and re-enact Sections 1 and 2 of Chapter 136 of the Acts of 1918, relating to registration of voters in cities of the first, second, third and fourth classes.

With the expression of opinion that same ought to pass.

By Mr. Wilborn, of the Committee on Public Printing:

H. B. 397. An Act requiring County Superintendents of each county to publish in a county paper published in the county the settlements made with the County Judges as provided by Section 4409, Kentucky Statutes (Carroll's Edition),

which publication must contain a statement of all moneys received from every source and for what paid, to whom paid, and what amounts remain in their hands.

With the expression of opinion that same ought to pass.

By Mr. Ryans, of the Committee on Public Offices:

H. B. 20. An Act to require justices of the peace in counties having cities of the first class to provide and maintain a suitable room for the transaction of public business and authorizing the payment of the expense thereof out of the county levy.

With the expression of opinion that same ought to pass.

Said bill has heretofore had its first reading and been placed in the calendar.

By same.

H. B. 12. An Act to repeal section 2276 of John D. Carroll's volume 3, 1918 supplement, Kentucky Statutes, and to repeal section 2260 of John D. Carroll's 1915 Kentucky Statutes, and re-enact section 2260, John D. Carroll's Kentucky Statutes, relating to the pay of jurors in circuit and inferior courts.

With the expression of opinion that same ought to pass.

By Dr. Yazell, of the Committee on Public Health:

H. B. 227. An Act concerning the practice of the healing art in this State; relating to applications, examinations and certificates, and to fees therefor; and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments.

With the expression of opinion that same ought to pass.

Said bill has heretofore had its first reading.

By. Mr. Bryson, of the Committee on Codes of Practice.

H. B. 204. An Act to amend and re-enact Section 2119 Kentucky Statutes, Carroll's 1915 Edition, relating to trials in divorce cases.

With the expression of opinion that same ought to pass.

By Mr. McLellen, of the Committee on Railroads:

H. B. 363. An Act empowering fiscal courts to require any person, corporation, company, partnership or association owning a railway over which there are operated trains propelled by steam, motor or electric power, to erect and maintain an automatic alarm-bell, automatic gates, or other mechanical devices within their respective territorial jurisdictions at any highway or public road crossing at which the public safety may in the opinion of said courts require.

Without expression of opinion.

Mr. Ballard moved that said bill be given its first reading and placed in the calendar, the report of the committee notwithstanding.

Said motion was agreed to.

Mr. Kimbrough moved to recommit said bill to the Committee on Railroads.

Said motion was lost.

By same.

H. B. 370. An Act relating to railroads; providing for the better protection of the traveling public, transportation of property and the employees of railroads.

Without expression of opinion.

Mr. Wesley moved that said bill be read the first time and be placed in the calendar.

Said motion was adopted.

By Mr. Alfrey, of the Committee on State Capitol:

H. B. 328. An Act making it a misdemeanor to graze any kind of live stock on any portion of the grounds surrounding the State Capitol and owned by the State, and fixing the punishment therefor.

With the expression of opinion that same ought to pass.

By Mr. Billiter, of the Committee on Education No. 2.

H. B. 380. An act to provide the pupils of the public schools of Kentucky with free text books and providing for rules governing the use and distribution and care thereof and providing for the payment thereof.

All of said bills were read at length the first time and ordered to be placed in the calendar.

By Mr. Marcum, of the Committee on County and City Courts:

H. B. 265. An Act to repeal, amend and re-enact Section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute fiscal courts, and providing for special election therefor.

With expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall the bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

The question was decided in the negative.

By same.

H. B. 391. An Act to amend and re-enact Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915.

With expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and be placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same.

H. B. 208. An Act to amend and re-enact Section 388 of Chapter 21, Kentucky Statutes, Carroll's Edition, 1915, relating to clerks, the same being section 17 of chapter 155 of the Acts of 1891-92 and 93, entitled "An Act relating to clerks."

With the expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and placed in the calendar, report of the Committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same.

H. B. 361. An act to amend subsection two of section 1847 of Carroll's 1915 Edition of Kentucky Statutes, Third Volume, and re-enact same, relating to compensation of members of the fiscal courts.

With the expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and placed in the calendar, report of the Committee to the contrary notwithstanding?"

Said question was decided in the negative.

By Mr. Billiter, of the Committee on Education No. 2:

H. B. 188. An Act to amend Section 213 (Acts of 1918) section 4521A-1 Kentucky Statutes, relative to compulsory education.

With the expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and placed in the calendar, report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 411. An Act repealing subsection 2 of section 4469a, Kentucky Statutes, Carroll's Edition, 1915, and enacting in lieu thereof a new subsection.

With the expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and placed in the calendar, report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

H. B. 186. An Act to amend Section 216 of Acts 1918, of the Common School Laws, relative to compulsory attendance.

With the expression of opinion that same ought not to pass.

The Speaker stated, "Shall the bill be given its first reading and placed in the calendar, report of the Committee to the contrary notwithstanding?"

Said question was decided in the negative.

Mr. McLellen moved to make H. B. 181 a special order for Thursday, February 19, at 11 o'clock a. m.

Said motion was agreed to.

Mr. Bryson moved to commit H. B. 287 to the Committee on Appropriations with leave to report at any time.

Said motion was agreed to.

By Mr. Price, of the Committee on Retrenchment and Reform:

H. B. 376. An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio river and its Kentucky tributaries belonging to or controlled by the State of Ken-

tucky; and to regulate the catching of said shells and to have authority to co-operate with the United States government in its propagation of mussels, and imposing penalties for violation of the provisions of this Act.

With the expression of opinion that same ought to pass.

Mr. Johnson moved to recommit said bill to the Committee on Retrenchment and Reform.

Upon a division of the House, said motion was adopted. Yeas 44 and nays 8, so said bill was recommitted.

Mr. Waggoner moved that the House do now rceess until 1:30 p. m.

Said motion was agreed to.

Then the House at 12:30 P. M. took a recess until 1:30 P. M.

AFTERNOON SESSION, FEBRUARY 18, 1920.

The House reconvened at one-thirty P. M.

Upon a call of the counties and legislative districts for the introduction of bills, the following bills were introduced ordered to be printed, and referred to the committees indicated:

By Mr. Day:

H. B. 473 of the following title: An Act to authorize the incorporation in each county of the State of Kentucky of a county farm bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture, co-operating with the College of Agriculture of the University of Kentucky and the United States Department of

Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the federation of such county farm bureaus.

To the Committee on Agriculture.

By Mr. Kelly:

H. B. 474 of the following title: An Act to amend and re-enact subsection 26 of section 2380 of the Kentucky Statutes, being Section 26 of an Act of the General Assembly of the Commonwealth of Kentucky approved March 19, 1912, entitled, "An Act relating to the drainage of lands, the establishment and construction of public ditches, levees and drains and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks, or non-navigable streams, prescribing the method of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating Boards of Drainage Commissioners, and prescribing the duties and providing for the payment of officers and employees having duties to perform hereunder."

To the Committee on Public Ditches and Fences.

By Mr. Lee:

H. B. 475 of the following title: An Act to provide for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who died in the recent war with Germany and Austro-Hungary; appropriating money therefor, providing land for such purposes and manner and method in which monuments are to be erected.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Williamson:

H. B. 476 of the following title: An Act to incorporate the "Jefferson Davis Memorial."

To the Committee on Kentucky Statutes.

By Mr. Neel:

H. B. 477 of the following title: An Act to amend and reenact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

To the Committee on Kentucky Statutes.

By Mr. Goehringer:

H. B. 478 of the following title: An Act for the benefit of the Louisville National Medical College (colored), of Louisville, Kentucky, a body corporate, created by an Act of the General Assembly of the Commonwealth of Kentucky, approved April 24, 1888, and appropriating the sum of ten thousand dollars for improvements and equipments of the Louisville National Medical College (colored) and the sum of five thousand dollars annually for the maintenance of the Louisville National Medical College (colored).

To the Committee on Appropriations.

By Mr. Vose:

H. B. 479 of the following title: An Act relating to and affecting persons, firms and corporations engaged in public service business in this State, and creating a Public Service Commission which shall consist of three members and all necessary assistants; prescribing and defining the jurisdiction, powers and duties of said commission, and providing for

and regulating the manner of their selection and appointment, term of office and removal, salary and expenses; and providing for and imposing certain license fees; and providing certain penalties.

To the Committee on Municipalities.

By Mr. Nelson:

H. B. 480 of the following title: An Act empowering the board of trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

To the Committee on Education No. 1.

By Mr. Murphy:

H. B. 481 of the following title: An Act to give credit to defendants in the county jail or penitentiary who have been convicted in the circuit court and where confined in the county jail after an examining trial and unable to give bail.

To the Committee on Kentucky Statutes

By Mr. Bryson:

H. B. 482 of the following title: An Act fixing the salary of the Deputy Insurance Commissioner.

To the Committee on Insurance—Fire and Marine.

By Mr. Spillman:

H. B. 483 of the following title: An Act to amend and reenact Section 606, paragraph one, of the Civil Code of Practice.

To the Committee on Codes of Practice.

By Mr. W. P. Scott:

H. B. 484 of the following title: An Act to authorize cemetery companies and burial associations to condemn grounds necessary for their use.

To the Committee on Kentucky Statutes.

Mr. Lawrence moved to reconsider the vote by which House Bill 265 was refused its first reading this morning.

Said motion was adopted.

Mr. Lawrence then moved that said bill be read the first time and placed in the calendar.

Said motion was agreed to.

Then House Bill 265 entitled: An Act to repeal, amend and re-enact Section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to commissioners to constitute fiscal courts and providing for special election therefor, was read the first time and ordered placed in the calendar.

Mr. Duffy moved that the House take up for consideration House Bill 261 immediately after the other special orders of the day were disposed of.

Said motion was agreed to.

A message was received from the Senate announcing that body had passed Senate Bill 204 of the following title: An Act to amend, revise and re-enact Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of subdivision 8, of chapter 89 thereof.

Said bill was ordered to be printed and referred to the Committee on Municipalities.

Also that the Senate had passed S. B. 133 of the following title: An act to amend an act entitled "An act to amend an act entitled 'An act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said act and amendments now appear as article 3 of chapter 89, of the Kentucky Statutes, in John D. Carroll's edition thereof, in 1909, which was approved on March 21, 1910, by adding a section thereto.

Ordered that the said bill be printed and referred to the Committee on Municipalities.

Also that the Senate had passed Senate Resolution No. 8 of the following title: Joint Resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing.

Referred to Committee on Appropriations.

Also that the Senate had passed S. B. 132 of the following title: An Act to amend an Act entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky," which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said Act and amendments now appear as article 3, of chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof, in 1909, which was approved on March 21, 1910, and thereafterwards became a law.

Ordered that said bill be printed and referred to the Committee on Municipalities.

Also that the Senate had concurred in H. B. 49 of the following title: An act to change the times for holding circuit court in the fifth judicial district of Kentucky (composed of the counties of Henderson, Union and Webster) and declaring an emergency.

Ordered that said bill be enrolled.

Also that the Senate had concurred in H. B. 97 of the following title: An Act to promote safety to the traveling public in this Commonwealth and to provide a penalty for a violation of same.

Ordered that said bill be enrolled.

The House took up for consideration from the orders of the day special order as follows:

H. B. 185. An Act to repeal Sections 177, 178, 183, 185 and 186 of the Common School Laws, the same being Sections 4501, 4502, 4502a-4, and 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, and to enact the following in lieu thereof.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Sections 177, 178, 183, 185 and 186 of the Common School Laws, the same being Sections 4501, 4502, 4502a-4 and 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, be, and the same are hereby repealed and the following enacted in lieu thereof:

1. Four Classes of Certificates.

a. There shall be four grades of certificates issued to teachers of common schools; first, a teacher's diploma; second, a state teacher's certificate; third, an elementary certi-

ficate of the first grade; and fourth, an elementary certificate of the second grade.

b. Before any person shall be qualified to teach in any common school such person shall obtain one of these four grades of certificates.

2. STATE TEACHERS' DIPLOMA.

a. State diploma may be issued by the State Board of Examiners after a personal examination held at the State Capitol on the third Friday and Saturday of June and September or upon an examination held in the various counties of the State on the same dates of each year, upon the subjects embraced in the common school course of study, and also upon the science and art of teaching, psychology, English and American literature, algebra, higher arithmetic, geometry, physics and elementary Latin.

b. The laws governing the issuing of State certificates shall govern the issuance of State diplomas in all respects whatever.

c. The questions for examination for State diploma and State certificate shall be the same in all subjects common to both.

d. The purpose and standard of this diploma are to evidence a scholarship equivalent to the completion of a standard junior college course.

e. In order to be entitled to a state teacher's diploma, the applicant, in addition to attaining on the required examination an average grade of not less than 85 per centum, the lowest grade on any subject being not less than 70 per centum, shall be at least twenty-four years old, shall have taught in the State at least two years, and shall present satisfactory evidence of unexceptional moral character.

f. A State diploma shall be good in all schools throughout the State, maintained wholly or partly by the State, until revoked by the Superintendent of Public Instruction, or until the holder shall fail for five successive years to be engaged

in active school work. It shall qualify the holder for eligibility as candidate for the office of county superintendent of schools, and may for cause be revoked by any county superintendent, subject to the approval of the State Board of Education, as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction. Said diploma shall be impressed with the seal of the State Board of Examiners, and the fee of the applicant shall be five dollars, one dollar of which shall be paid to the County Board of Examiners, and the rest of which shall be paid to the two members who, with the Superintendent of Public Instruction, compose the State Board of Examiners.

3. STATE TEACHER'S CERTIFICATE.

a. A State teacher's certificate may be granted by the State Board of Examiners upon the recommendation of the County Board of Examiners, after a written examination held in the county of the applicant's residence, or on a personal examination before the State Board of Examiners at the State Capitol, said applicant attaining an average grade of at least 85 per centum, the lowest grade made upon any subject being not less than 70 per centum, upon the grades embraced in the common school course of study, and also upon English and American literature, elementary algebra, higher arithmetic and the science and art of teaching. In order to be entitled to a State certificate, the applicant, in addition to passing the required examination, shall be at least twenty-one years old, and shall have had two years' experience in teaching. Examinations for State teacher's certificates shall be held in all counties of the State on the third Friday and Saturday of June and September each year, and the questions for the examinations shall be forwarded by the State Board of Examiners, with the questions for the June and September elementary examinations at the same time and in the same package, be preserved and opened at the same time as the questions for elementary certificates. The questions for examination for

State certificate shall be identical with those for State diploma in all subjects common to both. The applicants for State certificates shall be examined on the same days upon which the applicants for elementary certificates are examined in June and September, and immediately upon the close of the examination for State certificates, the County Superintendent shall collect the papers of each applicant for state certificates, preserve them from all inspection and immediately forward them to the State Board of Examiners, with the recommendation that the certificate should or should not be granted. No applicant shall be examined for a state certificate unless the said applicant is known to the County Superintendent to possess an unexceptionable moral character and to possess the age and experience herein required.

b. The county superintendent shall enclose with the answers a written statement signed and sworn to by at least two members of the county board of examiners, that the examination has been held in strict accordance with the law and that the applicant has not either directly or indirectly received any assistance, and that the moral character of the applicant was unexceptionable. If the answers were deemed sufficient and the recommendation of the County Board of Examiners is favorable, the State Board of Examiners may issue a certificate, and shall entitle the holder to teach in any school of the State for a period of eight years, unless revoked by the Superintendent of Public Instruction, or unless the holder shall fail for two successive years to be engaged in active school work.

c. The purpose and standard of this certificate are to guarantee a scholarship equivalent to the completion of a four-year high school course.

d. At the expiration of the time for which it was granted, if it shall not have been revoked by the Superintendent of Public Instruction, and if the holder shall not have failed for two successive years to be engaged in active school work, a State certificate may be renewed for another eight years by

the State Board of Examiners, without additional fee, provided the County Board of Examiners for the county where the holder at the time resides recommends the renewal of said certificate, stating that the applicant is of good moral character and that said applicant has not failed for two successive years to be engaged in active school work. In no case shall any State certificate be valid for a period longer than sixteen years.

e. Any County Superintendent may, for cause, revoke a State certificate as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction and be subject to his approval.

f. A State certificate shall be impressed with the seal of the State Board of Examiners and the fee charged the applicant shall be four dollars, besides the registration fee for forwarding the answers, of which one dollar shall be paid to the County Board of Examiners. The proceeds of the fees for examination for State certificates shall be divided between the two professional members of the State Board of Examiners, in proportion to the services rendered by them.

4. Elementary Certificate of the First Grade.

a. An elementary certificate of the first grade shall require an average grade of 85 per centum upon all subjects in the common school course, upon the science and art of teaching, including the state course of study for elementary schools; and the lowest grade on any subject shall not be less than 70 per cent; provided, further, that the grade in arithmetic, English and civil government shall not be lower than 80 per cent.

b. The elementary certificate of the first grade shall be valid in any elementary public school in the State for a period of four years.

c. If at any time the holder of an elementary certificate shall be found incompetent, inefficient, immoral, or otherwise

unworthy to be a teacher, the County Superintendent shall revoke the certificate of such person; and no teacher whose certificate has been revoked shall be entitled to receive payment for services only up to the time of this revocation.

d. No person shall be entitled to receive an elementary certificate of either grade who was not eighteen years of age prior to the date of the examination.

e. Nothing in this Act shall be construed to require any teacher now holding a State diploma, State teacher's certificate or elementary certificate to be re-examined until the expiration of said certificate.

f. A person having taught for eight consecutive years under first grade certificates may have the last one renewed for a period of four years by the County Superintendent, who shall write upon it "renewed," signed officially and give the date of such renewal. When a certificate has been renewed one time the teacher shall again receive two first grade certificates as stated above before it can be renewed a second time.

g. The State Board of Examiners shall carefully prepare three series of questions for white teachers and an equal number for colored teachers, all of the same grade; shall enclose in an envelope such number of questions of each given series, at least twenty days before the examination, with the name of the subject plainly written or printed across the seal thereof; shall enclose the several envelopes in a package which they shall seal and forward by registered mail to each County Superintendent at least one week before the examination designating on the outside of the package the month and the date for which the same shall be used.

h. The County Superintendent shall carefully preserve the said package of questions under seal until the hour of examination; and the seal of the said package shall then be examined by the other examiners and the applicants for certificates and the package shall then be opened in their presence.

i. Immediately after examining the package of questions, each of the county examiners shall, under his oath as an examiner, upon blanks furnished for that purpose by the Superintendent of Public Instruction, give a separate certificate, with signature, attested to by two reliable witnesses, that he had personally inspected said package, and whether he had found the same intact as provided herein, and forward the certificate to the Superintendent of Public Instruction on the same date.

j. Separate certificates shall be made and forwarded for State and elementary certificate examinations.

k. There shall be two examinations held in each county of the State annually, for State diploma, and State certificate on the third Friday and Saturday in June and September. There shall be three examinations held for white teachers in each county of the state on the third Friday and Saturday in May, June and September of each year, and three for colored teachers upon the fourth Friday and Saturday for the same months, and no examinations shall be held at any other time whatever.

l. No certificate shall be issued upon the dates of the examinations nor shall any answer be passed upon in the presence of any of the applicants.

m. The examiners shall exclude from the room during the examination all persons other than applicants and see that the applicants are seated at the proper distance from each other and shall see that no assistance is given or obtained by any applicant during the examination, and shall refuse to grant a certificate to any applicant who may either obtain or give such assistance.

n. The examiners shall allot a reasonable time for the examination on each subject, taking the subjects in the following order: 1, spelling; 2, reading; 3, writing; 4, arithmetic; 5, grammar; 6, English composition; 7, geography; 8, physiology and hygiene; 9, civil government; 10, United States history and history of Kentucky; 11, theory and practice of teaching, including State course of study for elementary

schools; 12, agriculture; and shall collect the answers of all applicants when the time allotted has expired and no additional subjects shall be given until the answers to the previous subjects have been collected.

o. The County Superintendent and at least one of the examiners shall be present and shall conduct all examinations.

p. No certificate shall be granted to any person who indulges in drunkenness, profanity, gambling or licentiousness or who is otherwise unfit to be a teacher.

q. All elementary certificates shall be issued by the State Board of Examiners just as State certificates are issued. Every law relating to the preparation of questions, holding examinations, and grading papers for State diploma and State certificates applies with equal force to elementary certificates.

r. Each applicant for an elementary certificate of either grade shall pay to the County Superintendent a fee of two dollars, one of which shall be paid to the County Board of Examiners, and the other shall be forwarded to the State Superintendent to be by him expended in defraying the expenses of grading the papers, register fees, etc. If any money be left after defraying such expenses it shall be covered into the general school fund.

5. Elementary Certificate of the Second Grade.

a. An elementary certificate of the second grade shall require an average grade of seventy-five per centum upon all the subjects in the common school course and upon the State Course of Study, and the lowest grade on any subject shall be not less than sixty per centum.

b. The issuance of elementary certificates of the second grade shall conform in all respects whatever to the laws relating to the issuance of elementary certificates of the first grade.

c. An elementary certificate of the second grade shall be valid in any elementary common school in the State for two years from the date of issue.

d. After July 1, 1921, an elementary certificate of the second grade shall not be issued twice to the same person.

6. Grading Papers—Additional Examiners.

a. For the purpose of grading papers in examinations for certificates the State Superintendent shall have power to employ a sufficient number of competent persons to assist the State Board of Examiners in grading such papers so that the work may be well and promptly finished; and he shall have power to agree with such persons as to compensation; provided that no person so employed shall receive more than ten dollars per diem, and actual traveling expenses.

7. Papers to be Numbered.

In all examinations for State diploma, State certificate, and elementary certificates, the applicants shall be given numbers by the County Superintendent which numbers shall be placed upon the papers instead of names. The County Superintendent shall keep a record in his office of such numbers and names and forward a copy of the same in a separate envelope by registered mail to the State Superintendent. In grading papers and in certifying to the State Superintendent the results of such examinations, the numbers must be used; nor shall the names be disclosed to any one except the persons making out the certificates. The purpose of this law is to insure that all papers shall be graded, and certificates issued upon merit alone. The violation of this law by any person whatever shall constitute a misdemeanor, and be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars in each case.

.8. Professional Training.

a. From the first day of July, one thousand nine hundred and twenty-two, applicants for an elementary certificate of the first grade shall have had at least one year of high school work or its equivalent; and, in addition thereto, ten weeks' study of professional subjects in a State Normal School or some other training school recognized by the State Board of Education.

b. From the first day of July, one thousand nine hundred and twenty-four such applicant must have had two years of high school work or its equivalent; and in addition thereto twenty weeks' study of professional work in a school or schools as aforesaid.

c. From the first day of July, one thousand nine hundred and twenty-six, such applicant shall have had four years of high school work or its equivalent, and, in addition thereto forty weeks' study of professional work in a school or schools as aforesaid.

d. No person shall be admitted to examinations for the aforesaid certificate until he has satisfied the County Board of Examiners, or the State Board of Examiners, by documentary evidence or otherwise, that he has complied with the provisions of law.

9. Science and Art of Teaching.

After July 1, 1921, all examinations for a certificate on the theory and practice of teaching, or the science and art of teaching shall be based upon a suitable text-book selected by the State Board of Education. The questions on such examinations on said subjects shall test the applicant's knowledge of school organization, discipline, program making, organization of lesson material, lesson planning, and such other knowledge as the State Board of Examiners think the applicant should have.

10. EMERGENCY CERTIFICATE.,

Emergency certificates may be issued by the State Superintendent of Schools with rules and regulations made therefor by the State Board of Education. Such certificates shall not be issued more than once to the same person. They shall be valid only in the county designated in the certificate, and they shall not be valid after the thirtieth day of June following the date of their issue. The grade of any such certificate shall be determined by the State Superintendent of Schools and the same shall be indicated on the face of the certificate. The fee for issuing and recording such certificate shall be one dollar, to be paid by the applicant to the State Superintendent of Schools.

The following amendment by way of substitute to the bill was offered by the Committee:

An Act repealing Sections 177, 178, 183, 185, 186 of the common school law, the same being sections 4501, 4502, 4502a-4, 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, relating to the certification of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That sections 177, 178, 183, 185 and 186 of the common school laws, the same being sections 4501, 4502, 4502a-4 and 4503, respectively, of the Kentucky Statutes, Carroll's edition, 1915, be, and the same are hereby repealed and the following enacted in lieu thereof:

1. Four Classes of Certificates.—a. There shall be four grades of certificates issued to teachers of common schols: first, a teacher's diploma; second, a State teacher's certificate; third, an elementary certificate of the first grade; and fourth, an elementary certificate of the second grade.

b. Before any person shall be qualified to teach in any common school such person shall obtain one of the four grades of certificates or a certificate as authorized by law from the State University, State Normal Schools or legally accredited colleges.

§ 2. State Teacher's Diploma.—a. State diploma may be issued by the State Board of Examiners after a personal examination held at the State Capitol on the third Friday and Saturday of June and September, upon the subjects embraced in the common school course of study and also upon the science and art of teaching, psychology, English and American literature, algebra, higher arithmetic, geometry, physics and elementary Latin.

b. The laws governing the issuing of State certificates shall govern the issuance of State diplomas in all respects whatever, except that applicants for State certificates may take the examination in their respective counties on the same dates that examinations are held for State diplomas, as now provided by law.

c. The questions for examinations for State diploma and State certificate shall be the same in all subjects common to both.

d. The purpose and standard of this diploma are to evidence a scholarship equivalent to the completion of a standard junior college course.

e. In order to be entitled to a State teacher's diploma, the applicant, in addition to attaining on the required examination an average grade of not less than 85 per centum, the lowest grade on any subject being not less than seventy per centum, shall be at least twenty-four years old, shall have taught in the State at least two years, and shall present satisfactory evidence of unexceptionable moral character.

f. A State diploma shall be good in all schools throughout the State, maintained wholly or partly by the State, until revoked by the Superintendent of Public Instruction, or until

the holder shall fail for five consecutive years to be engaged in active school work. It shall qualify the holder for eligibility as candidate for the office of county superintendent of schools, and may for cause be revoked by any county superintendent, subject to the approval of the State Board of Education, as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction. Said diploma shall be impressed with the seal of the State Board of Examiners, and the fee of the applicant shall be five dollars.

§ 3. State Teacher's Certificate.—a. A State teacher's certificate may be granted by the State Board of Examiners upon the recommendation of the county board of examiners, after a written examination held in the county of the applicant's residence, or on a personal examination before the State Board of Examiners at the State Capitol, said applicant attaining an average grade of at least 85 per centum, the lowest grade upon any subject being not less than seventy per centum upon the grades embraced in the common school course of study, and also upon English and American literature, elementary algebra, higher arithmetic, and the science and art of teaching. In order to be entitled to a State certificate, the applicant, in adition to passing the required examination, shall be at least twenty-one years old, and shall have had two years' experience in teaching. Examinations for State teacher's certificates shall be held in all counties of the State on the third Friday and Saturday of June and September each year, and the questions for the examinations shall be forwarded by the State Board of Examiners, with the questions for the June and September elementary examinations at the same time and in the same package, be preserved and opened at the same time as the questions for elementary certificates. The questions for examination for State certificate shall be identical with those for State diploma in all subjects common to both. The applicants for State certificates shall be examined on the same days upon which the applicants for

elementary certificates are examined in June and September and immediately upon the close of the examination for State certificates, the county superintendent shall collect the papers of each applicant for State certificate, preserve them from all inspection and immediately forward them to the State Board of Examiners with the recommendation that the certificate should or should not be granted. No applicant shall be examined for a State certificate unless the said applicant is known to the county superintendent to possess an unexceptionable moral character and to possess the age and experience herein required.

b. The county superintendent shall enclose with the answers a written statement, signed and sworn to by the superintendent and two members of the county board of examiners, that the examination has been held in strict accordance with the law and that the applicant has not either directly or indirectly received any assistance, and that the moral character of the applicant was unexceptionable. If the answers were deemed sufficient, and the recommendation of the county board of examiners is favorable, the State Board of Examiners shall issue a certificate which shall entitle the holder to teach in any school of the state for a period of eight years, unless revoked by the Superintendent of Public Instruction, or unless the holder shall fail for two consecutive years to be engaged in active school work.

c. The purpose and standard of this certificate are to guarantee a scholarship equivalent to the completion of a four year high school course.

d. At the expiration of the time for which it was granted, if it shall not have been revoked by the Superintendent of Public Instruction and if the holder shall not have failed for two consecutive years to be engaged in active school work, a State certificate may be renewed for another eight years by the State Board of Examiners, without additional fee, provided the county board of examiners for the county where the holder at the time resides recommends the renewal of

said certificate, stating that the applicant is of good moral character and that the said applicant has not failed for two consecutive years to be engaged in active school work. In no case shall any State certificate be valid for a period longer than sixteen years.

e. Any county superintendent, may for cause, revoke a State certificate as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction and be subject to his approval.

f. A State certificate shall be impressed with the seal of the State Board of Examiners and the fee charged the applicant shall be four dollars, besides the registration fee for forwarding the answers.

§ 4. Elementary Certificate of the First Grade.—a. An elementary certificate of the first grade shall require an average grade of 85 per centum upon all subjects in the common school course, upon the science and art of teaching, including the State course of study for elementary schools; and the lowest grade on any subject shall not be less than seventy per centum; provided, further, that the grade in arithmetic, English and civil government shall not be lower than eighty per centum.

b. The elementary certificate of the first grade shall be valid in any elementary public school in the state for a period of four years.

c. If at any time the holder of an elementary certificate shall be found incompetent, inefficient or immoral, the county superintendent shall revoke the certificate of such person; and no teacher whose certificate has been revoked shall be entitled to receive payment for services only up to the time of this revocation.

d. No person shall be entitled to receive an elementary certificate of either grade who was not eighteen years of age prior to the date of the examination.

e. Nothing in this Act shall be construed to require any teacher now holding a State diploma, State teacher's certificate or elementary certificate to be re-examined until the expiration of said certificate.

f. A person having taught for eight consecutive years under first grade certificates may have the last one renewed for a period of four years by the State Superintendent, who shall write upon it "renewed," signed officially and give the date of such renewal. When a certificate has been renewed one time, the teacher shall again receive two first grade certificates as stated above before it can be renewed a second time.

g. The State Board of Examiners shall carefully prepare three series of questions for white and colored teachers on all of the branches necessary for elementary certificates of the first and second class, and shall enclose in envelopes such number of questions of each branch as the county superintendent shall make requisition for at least twenty days before the examination, with the name of the subject written or printed across the seal thereof, and shall enclose the several envelopes of each series containing questions on each branch in a package which they shall seal and forward by registered mail to each county superintendent, at least one week before the examination, designating on the outside of the package the month and date for which same shall be used.

h. The county superintendent shall carefully preserve the said package of questions under seal until the hour of examination; and the seal of the said qackage shall then be examined by the other examiners and the applicants for certificates and the package shall then be opened in their presence.

i. Immediately after examining the package of questions the county superintendent and each of the county examiners shall under his official oath, upon blanks furnished for that purpose by the Superintendent of Public Instruction, give a separate certificate, with signatures, attested to by two reliable witnesses, that he had personally inspected said package,

and whether he had found the same intact as provided herein, and forward the certificate to the Superintendent of Public Instruction on the same date.

j. There shall be two examinations held in each county of the State annually for State certificate, on the third Friday and Saturday in June and September, and on the same dates there shall be held in the State Superintendent's office at Frankfort, an examination for State diplomas. There shall be three examinations held for elementary certificates for white and colored teachers in each county of the State on the third Friday and Saturday in May, June and September of each year.

k. The State Board of Examiners under the same rules and regulations laid down in section g of this act shall prepare questions for State certificate and shall enclose each branch in separate envelopes, sealed, with the name of subject written or printed thereon, and enclose all these separate envelopes in a package which shall be sealed and marked "examination questions for State certificate," and in June and September the packages containing the elementary certificate questions and the State certificate questions shall be enclosed together in another package and registered to the county superintendent at least one week before the date for the examination.

l. The examiners shall exclude from the room during the examination all persons other than applicants and see that the applicants are seated at the proper distance from each other and shall see that no assistance is given or obtained by any applicant during the examination, and no certificate shall be granted by the State Superintendent and the State Board of Examiners to any person who may either obtain or give assistance in the examination. It shall be the duty of the county superintendent and the county board of examiners to disclose any fact in regard to any person or persons obtaining or giving assistance in the examinations. The county superintendent or examiners shall pass on no question in the presence

of any applicant for certificate. Failure on the part of the county superintendent or examiners to comply with the provisions of this section shall be a misdemeanor, punishable by a fine of not less than twenty-five dollars.

m. The examiners shall allot a reasonable time for the examination in each subject, taking the subjects in the following order: 1, spelling; 2, reading; 3, writing; 4, arithmetic; 5, grammar; 6, English composition; 7, geography; 8, physiology and hygiene; 9, civil government; 10, United States history and history of Kentucky; 11, theory and practice of teaching, including State course of study for elementary schools; 12, agriculture; and shall collect the answers of all applicants when the time allotted has expired and no additional subjects shall be given until the answers to the previous subjects have all been collected.

n. The county superintendent shall have two examiners as now provided by law, except they shall receive five dollars per diem as hereinafter provided; and he, together with the examiners shall conduct all examinations. The examinations for white and colored teachers shall be held in each county on the same date, on the same subject, and use the same questions, provided that the white teachers shall be in one room and the colored teachers in another room. When there is a greater number of white teachers than of colored teachers in any given examination, the county superintendent and one examiner shall have charge of the white teachers and one examiner shall have charge of the colored teachers. When there is a greater number of colored teachers than there is of white teachers, the county superintendent and one examiner shall have charge of the colored teachers, and the other examiner of the white teachers. Both the colored teachers and white teachers shall conform to the same rules and regulations as provided by law.

o. No person shall be allowed by the county superintendent and county board of examiners to take an examination who indulges in drunkenness, profanity, gambling or licentiousness, and each person taking an examination shall be re-

quired to give satisfactory evidence of unexceptionable moral character to the county superintendent and the county board of examiners. Failure on the part of any county superintendent or board of examiners to comply with the provisions of this section shall be a misdemeanor, punishable by a fine of not less than fifty dollars.

p. All elementary certificates shall be issued by the State Board of Examiners just as State certificates are issued. Every law relating to the preparation of questions, holding examinations, and grading papers for State diplomas and State certificates applies with equal force to elementary certificates.

q. Each applicant for an elementary certificate of either grade shall pay to the county superintendent a fee of one dollar and fifty cents. The fees received by the county superintendent from applicants for State and elementary certificates shall be forwarded to the State Superintendent who shall use it in defraying the expenses of the examinations. The amount received from all the counties for examination fees shall constitute one fund, from which the State Superintendent shall pay the county examiners five dollars per diem for each of the two days' service rendered in the examination of teachers for elementary and State certificates. From the same fund the State Superintendent shall pay his State Board of Examiners and their assistants for the preparations of the questions and the grading of the manuscripts of the applicants for State and elementary certificates, a sum not to exceed ten dollars per diem, with actual and necessary traveling expenses. If after the county examiners and the State Examiners with their assistants are paid there should remain a balance in said fund, it shall be covered into the treasury and credited to the school fund of the State.

§ 5. Elementary Certificate of the Second Grade.—a. An elementary certificate of the second grade shall require an average grade of seventy-five per centum upon all the subjects in the common school course and upon the State course of

study, and the lowest grade on any subject shall not be less than sixty per centum.

b. The issuance of elementary certificates of the second grade shall conform in all respects whatever to the laws relating to the issuance of elementary certificates of the first grade.

c. An elementary certificate of the second grade shall be valid in any elementary common school in the State for two years from the date of issue.

d. After July 1, 1921, an elementary certificate of the second grade shall not be issued twice to the same person.

§ 6. Grading Papers—Additional Examiners.—a. For the purpose of grading the papers in examinations for certificates the state superintendent shall have the power to employ a sufficient number of competent persons to assist the State Board of Examiners in grading such papers so that the work may be well and promptly finished; and he shall have power to agree with such persons as to compensation, provided that no person so employed shall receive more than ten dollars per diem, and actual traveling expenses.

§ 7. Papers to Be Numbered.—In all examinations for state certificate, and elementary certificates, the applicants shall be given numbers by the county superintendent which numbers shall be placed upon the papers instead of names. The county superintendent shall keep a record in his office of such numbers and names and forward a copy of the same in a separate envelope by registered mail to the state superintendent. In grading papers and in certifying to the State superintendent the results of such examinations, the numbers must be used; nor shall the names be disclosed to any one except to the persons making out the certificates. The purpose of this law shall be to insure that all papers shall be graded, and certificates issued upon merit alone. The violation of this law by any person whatever shall constitute a misdemeanor, and be punishable by a fine of not less than twenty-five dollars, nor more than one hundred dollars in each case. The

only distinction that shall be made between the manuscripts of the white and colored teachers shall be that the numerals shall be used for the white teachers and letters of the alphabet in alphabetical order for the colored teachers.

§ 8. Professional Training.—a. From the first day of July, one thousand nine hundred and twenty-two, applicants for an elementary certificate of the first grade, shall have had at least one year of high school work or its equivalent; and, in addition thereto, ten weeks' study of professional subjects in a state normal school or some other training school recognized by the State Board of Education.

b. From the first day of July, one thousand nine hundred and twenty-four, such applicant must have had two years of high school work or its equivalent; and in addition thereto twenty weeks' study of professional work in a school or schools as aforesaid.

c. From the first day of July, one thousand nine hundred and twenty-six, such applicant shall have had four years of high school work or its equivalent, and in addition thereto, forty weeks' study of professional work in a school or schools as aforesaid. Provided that the State Board of Education shall have authority and power to make all the rules and regulations necessary to meet the emergencies growing out of the advancement made in sub-sections a, b and c, of section 8.

d. No person shall be admitted to examinations for the aforesaid certificate until he has satisfied the county board of examiners, or the State Board of Examiners by documentary evidence or otherwise that he has complied with the provisions of law.

§ 9. Common School Diploma.—The county board of examiners shall assist the superintendent in the examining and grading of applicants for common school diploma as directed by the county board of education subject to the approval of the State Superintendent of Public Instruction.

§ 10. Science and Art of Teaching.—After July 1, 1921, all examinations for a certificate on the theory and practice of

teaching, or the science and art of teaching shall be based upon a suitable text-book selected by the State Board of Education. The questions on such examinations on said subject shall test the applicant's knowledge of school organization, discipline, program making, organization of lesson material, lesson planning, and such other knowledge as the State Board of Examiners think the applicant should have.

Mr. Kennard offered the following amendment to the substitute, viz.:

That section 4, article a, be amended by striking therefrom all the latter part of said article beginning with the word "provided" line 6 and ending with the words "per centum" in line 7.

Upon a division the amendment was adopted: Yeas 41; nays 31.

Then said substitute as amended was adopted.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | J. M. Billiter | J. F. Carr |
| L. H. Ballard | Jo F. Bosworth | T. L. Caudel |
| W. T. Beckham | W. T. Carner | B. L. Cox |

| | | |
|---|---|---|
| P. A. Day | Hebron Lawrence | S. G. Smith |
| H. N. Dean | Joseph Lazarus | R. Lee Stewart |
| J. B. Denues | Elmer Lusby | Wm. A. Stewart |
| H. C. Duffy | R. C. Marcum | John T. E. Stites |
| J. M. Foster | I. S. Mason | T. R. Stults |
| Dr. T. H. Gamblin | A. J. McCandless | John W. Swope |
| B. J. Goehringer | R. L. McFerron | J. Mack Thompson |
| J. W. Geveden | Mack J. Morgan | Dr. D. J. Travis |
| A. F. Hanberry | John T. Murphy | C. B. Truesdell |
| E. C. Hardin | Estill W. Neel | John L. Trumbo |
| Dr. W. L. Haynes | T. C. Pryse | Fred C. VanHoose |
| Talbert Holliday | B. F. Reynolds | Daniel Vose |
| D. J. Howard | J. L. Richardson | Geo. C. Waggoner |
| Robt. Humphreys | Sherman Robbins | A. M. Wash |
| R. O. Huntsman | Lee Rogers | J. S. Webb |
| Henry Kaufman | B. A. Roth | Dr. T. R. Welch |
| Frank Kennard | Chas. R. Scott | Gladstone Wesley |
| W. L. Kimbrough | W. P. Scott | R. E. Wilborn |
| J. M. Knott | Dr. B. F. Shields | W. N. Winn |
| Dr. S. D. Laughlin | H. G. Skiles | Dr. W. S. Yazell |

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Those who voted in the negative were—

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| Lon Adams | A. R. Hudson | H. A. Spillman |
| W. M. Boling | J. W. Johnson | Frank L. Strange |
| Rodney G. Bryson | Griffin Kelly | J. Wood Vance |
| J. S. Cruse | Rev. J. A. Lee | W. G. Wheeler |
| Dr. W. L. Gossett | Chas. A. Nelson | |
| A. L. Hamilton | T. P. Oliver | |

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Resolved that the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day, special order entitled:

House Bill No. 227. An act concerning the practice of the healing art in this State, relating to applications, examinations and certificates, and to fees therefor; and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments.

Mr. Bryson moved to make this bill a special order for Tuesday, February 24th, 1920, at 10:30 o'clock A. M.

Said motion was lost.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the State Board of Health shall, upon appliciation of any state association composed of practitioners of any drugless or limited school or system diagnosing or treating human ailments, defects or deformities, now in existence or which may hereafter be devised, legally chartered under the laws of this Commonwealth from a list of three of its members selected and certified to said board by such association as persons of good moral character and graduates of a reputable college of such system of practice, appoint an assistant examiner for such school or system to represent it in the examination of its applicants by preparing all questions and grading all papers involving methods or principles of diagnosis, treatment, adjustment, cure or relief of patients, and who may be present at any meeting when such grades are considered, which grades shall be accepted by the board and considered on equal terms with the grades made in anatomy, physiology, pathology and such other subjects as the board may deem necessary to test the qualifications of applicants

from all schools or systems to practice with safety to the sick and afflicted, and the board shall issue certificates to all applicants who make the grades required by existing law. The board shall have authority to hold separate examinations for the different schools, or systems of practice, or groups of them as it may deem best, and may, in so far as in its judgment may be consistent with the safety of the sick and afflicted, limit the examination in anatomy, physiology, pathology and other subjects to special regions or parts of the body, and in its certificates it shall limit the treatment and work of such applicants to the method of practice in which they have been trained and found qualified. All examinations shall be secret and in all matters as to questions and grades conducted as provided by law and by rules and regulations of the board not inconsistent therewith.

§ 2. That applicants may present their credentials by mail or proxy upon forms furnished by the board. All certificates shall be signed by the president and secretary and attested by the seal of the board. The fee for each certificate, including the examination, shall not exceed the sum of twenty-five dollars, which is hereby fixed as the fee to be paid by all applicants and all of such fees shall be paid into the state treasury and kept as a separate fund and used for paying the expenses of the administration and enforcement of chapter 85, Kentucky Statutes, and shall be accounted for as required by law for other funds and expenses of the board.

§ 3. That any person who was reputably engaged in the practice of anesthesia, chiropractics, optometry, chiropody or other systems of drugless healing in this Commonwealth on or before July 1, 1918, who is endorsed as competent and reputable by the examiner for the school or system which he professes to practice, and who makes application to the board within ninety days after this act goes into effect, accompanied by the fee, shall receive a certificate without examination, which, when registered in the office of the county clerk of the county in which he resides, shall authorize the holder to prac-

tice the system of healing named in such certificate, subject to all the conditions imposed upon the holders of all certificates heretofore issued, or hereafter to be issued under this law.

§ 4. That any person living in this state or who may hereafter come into this state who practices or attempts to practice any system of diagonsis or healing now in existence or which may hereafter be devised or in any way performs the duties usually performed by physicians, without having complied with the provisions of law, or who opens an office for such purpose or announces to the public a readiness to so practice, shall, upon conviction, be subject to all of the penalties provided in section 2618, chapter 85, of the Kentucky Statutes.

§ 5. All acts and parts of acts in conflict herewith are hereby repealed.

The committee offered the following amendments:

Amendment No. 1. Amend section 1, page 1, line 5, by striking therefrom the word "three" and inserting in lieu thereof the word "seven" and line 7 by striking therefrom the word "an" and inserting in lieu thereof the word "three" and adding the letter "s" to the words "examiner," "school" and "system." Amend section 1, line 12, by inserting after the word "physiology" the word "and" and strike out beginning on line 13, the following words: "and such other subjects as the board may deem necessary." Amend section 3, line 3, by striking out the words and figures "July 1, 1918," and inserting in lieu thereof the words and figures "January 1, 1920."

Said amendment was adopted.

Amendment No. 2. In section 1, on page 2, line 16, insert after "law" the words: "Provided that applicants may be

examined in all subjects in which they have been trained and may practice the branches in which they are found qualified."

Said amendment was adopted.

Amendment No. 3. Insert after "devised" in section 4, line 3, the words "or who corrects defects of the eye or other parts of the human body by mechanical means, except upon the prescription of a legally qualified physician."

Said amendment was adopted.

Amendment No. 4. By adding at the end of section 4 "Provided this act shall not apply to persons who sell trusses, spectacles, eye glasses or lenses only as merchandise, but this act shall not apply to the practice of Christian Science."

Said amendment was adopted.

Ordered that said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Charles M. Ciarlo | J. M. Foster |
| L. H. Ballard | B. L. Cox | Dr. T. H. Gamblin |
| H. H. Barnes | J. S. Cruse | B. J. Goehringer |
| W. T. Beckham | P. A. Day | A. L. Hamilton |
| Rodney G. Bryson | H. N. Dean | A. F. Hanberry |
| T. L. Caudel | J. B. Denues | E. C. Hardin |

| | | |
|---|---|---|
| Dr. W. L. Haynes | John T. Murphy | T. R. Stults |
| Talbert Holliday | Estill W. Neel | John W. Swope |
| D. J. Howard | Chas. A. Nelson | John B. Thomas |
| A. R. Hudson | B. F. Reynolds | J. Mack Thompson |
| Henry Kaufman | Lee Rogers | J. H. Thompson |
| Griffin Kelly | B. A. Roth | Dr. D. J. Travis |
| W. L. Kimbrough | Dr. Lewis Ryans | C. B. Truesdell |
| J. M. Knott | Chas. R. Scott | John L. Trumbo |
| Dr. S. D. Laughlin | W. P. Scott | J. Wood Vance |
| Hebron Lawrence | Dr. B. F. Shields | Daniel Vose |
| Joseph Lazarus | H. G. Skiles | Geo. C. Waggoner |
| Rev. J. A. Lee | S. G. Smith | J. S. Webb |
| R. C. Marcum | H. A. Spillman | Gladstone Wesley |
| R. L. McFerron | R. Lee Stewart | W. G. Wheeler |
| Homer C. McLellen | John T. E. Stites | W. N. Winn |
| Mack J. Morgan | Frank L. Strange | Dr. W. S. Yazell |

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Those who voted in the negative were—

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|---|---|---|
| H. C. Duffy | J. W. Johnson | A. J. McCandless |
| Robt. Humphreys | Frank Kennard | Sherman Robbins |

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The committee offered the following amendment to the title of said bill, viz.:

Add to the title the words "and providing penalties."

Said amendment to the title was adopted.

Resolved, that the title of said bill be as amended.

Mr. Stites moved that the vote by which said bill was passed be reconsidered and the motion lie on the table.

Said motion was agreed to.

Mr. Vance moved that the vote by which the title of the bill was amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 261. An act creating the Kentucky Geological Survey, designating its executive officer and his duties, and providing funds for its maintenance.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Established.—That the Kentucky Geological Survey is hereby created and established, with a single executive officer, who shall be designated as the Director and State Geologist; that the offices of said survey shall be at the seat of government, Frankfort, Ky.; that the geological collections, records, maps, reports and accumulated property of former Kentucky Geological Surveys, excepting the collections of the State Museum, be, and the same are, hereby to be maintained at the offices set aside for said Kentucky Geological Survey, at Frankfort, Ky., and the money necessary for their maintenance and for the maintenance of said survey is hereby appropriated from any money in the state treasury not otherwise appropriated.

§ 2. Director and State Geologist—Appointment—Qualification—Term.—That the Governor shall, with the advice and consent of the Senate, appoint a technically trained geologist as Director and State Geologist of the Kentucky Geological Survey, who shall have a thorough, scientific and practical knowledge of the sciences of geology, mineralogy, hydro-

graphy and allied subjects. Said appointee shall be possessed of at least six years' collegiate and technical training in geology, and shall be a graduate in geology from a recognized university. Said Director and State Geologist shall make his home in Frankfort, Kentucky. He shall enter upon the duties of his office immediately upon the enactment of this statute, and shall hold his office for four years, unless removed sooner by the Governor for inefficiency, incompetency or misconduct.

§ 3. Duties of Director and State Geologist—Reports By.—It shall be the duty of the Director and State Geologist to give his attention to the administration of the affairs of the Kentucky Geological Survey; to visit any and all parts of the state so as to make himself familiar with the needs of each section; to supervise, outline and edit the work of his assistants; to advance the interests of Kentucky by presenting in person, or otherwise, before national geological meetings, authoritative statements of the geological and mineral resources of the state; to undertake such field work as his time will permit, and to perform such other duties as may properly pertain to his office. He shall have the supervision of the entire work of the survey, and shall be responsible for the accuracy of same. He shall make a brief report biennially to the Governor on January 1st, at the convening of the State General Assembly, covering the activities accomplished by and proposed for the Kentucky Geological Survey. He may, at his own discretion, during any portion of the year, when sufficient time is available, give, not to exceed a maximum of three hours per week, in lectures, at either the State University of Kentucky, or Transylvania University, at Lexington, on subjects pertaining to the geological and mineralogical development of the state of Kentucky, for which services he shall not accept any financial remuneration, but may accept appointment on the teaching staff of the University he serves.

Under the direction and control of the Director and State Geologist, the corps of the survey shall proceed to make care-

ful geological, mineralogical, chemical, physical and soil surveys of the state; to enter upon record an accurate statement of the extent of water powers and water courses, to locate coal, oil, metalliferous deposits clays, ores, building stones, etc., etc., to report characteristics and compositions of soils and minerals; to collect, analyze, classify and label specimens of rocks, fossils, ores, coals, oils, gases, minerals, soils and other natural resources of the state; to cause specimens of the above named exhibits of the state to be correctly labeled and preserved in the museum of the State University at Lexington and in the office of the Geological Survey at Frankfort.

§ 4. Assistants—Expenses to be Reported.—The Director and State Geologist is authorized to employ competent assistant geologists, paleontologists, topographers, surveyors, specialists and such stenographic assistants as may be required for the proper conduct of the affairs of the survey. All traveling and field expenses of the director and his assistants, and all expenses of the Kentucky Geological Survey, shall be itemized each month, and if approved by the director shall be forwarded to the auditor, who shall draw his warrants for the various amounts from funds appropriated for the maintenance of the survey. Payment of any item of expense connected with the survey shall not be made until the approval of the director is secured in writing.

§ 5. To Co-operate With United States Departments.—The Director and State Geologist may enter into co-operative arrangements for geological, topographic, soil and such other surveys as are properly within the scope of the Kentucky Geological Survey, with the State Experiment Station, United States Geological Survey, the United States Department of Agriculture, or other organization of governmental departments; provided, that in each case agreed upon the said organization or department shall furnish an amount of money equal to that allotted for such work by this survey; and pro-

vided, further, that such co-operative agreements shall be made and carried out so that in all things they will prove advantageous to the State of Kentucky.

§ 6. Salary.—The salary of the Director and State Geologist shall be $3,000.00 per annum, which sum is hereby annually appropriated from any money in the state treasury not otherwise appropriated, and is in addition to the annual appropriation made for the Kentucky Geological Survey.

§ 7. Equipment to be Furnished.—It shall be the duty of the Commissioner of Public Printing to supply the Kentucky Geological Survey with all necessary stationery, accessory printing, printing of reports and maps, etc., in the same manner as all other state offices are supplied, upon the signed requisition of the director of the survey, and with the approval of the Printing Commissioners or similar body.

§ 8. Reports—Concerning.—The reports of the survey shall be prepared as rapidly as possible, and shall be reviewed, edited and approved by the director, who shall requisition the printing of same through the Commissioner of Public Printing, the cost thereof to be paid out of the general expenditure fund as in the case of other official reports. The director is authorized to publish in the daily and weekly newspapers, trade journals, geological magazines or in pamphlet form any geological discoveries or results of special interest, the cost of such publications, if any, to be paid out of the general expenditure fund of the state as in the case of other official reports. No reports or maps prepared by the Kentucky Geological Survey shall be sold, but nominal charges to cover postage may be made, and all stamps when so received shall be kept and reused without itemization by the survey.

§ 9. Appropriation.—For the purpose of carrying into effect the povisions of this act, there is hereby appropriated the sum of $15,000.00 annually for the geological, chemical, technological, soil and other investigations authorized by this

act, including all salaries and field expenses, clerical assistance, laboratory, field equipment, supplies, freight charges, and all necessary miscellaneous items of permanent improvement to the property and effects of the Kentucky Geological Survey; and the further sum of $12,500.00 annually for topographical surveys in co-operation with the United States Geological Survey, subject to the provisions of section 5, of this act; provided, that in the event it should at any time prove that said co-operative work is not being conducted to the best advantage to the state, the Director of the Kentucky Geological Survey is hereby authorized to withdraw from such co-operation, when so advised by the Governor, and the mapping may be continued by the Kentucky Geological Survey alone, or the unexpended balance be turned back into the treasury and the appropriation for said co-operative surveys cease or be used for such other necessary purposes of the survey as the director may indicate.

§ 10. Emergency.—Whereas, the law relating to the department of Geology and Forestry has been repealed at this session of the General Assembly, thereby setting aside any and all appropriations belonging to geological research in this state, and whereas, there are now no funds available for this work or to support the Geological Survey, herein provided for, an emergency is declared to exist, and this act and its appropriations shall, therefore, go into effect immediately upon its approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Robt. Humphreys | S. G. Smith |
| H. H. Barnes | J. W. Johnson | H. A. Spillman |
| W. T. Beckham | Henry Kaufman | R. Lee Stewart |
| S. M. Bennett | Griffin Kelly | Wm. A. Stewart |
| J. M. Billiter | W. L. Kimbrough | John T. E. Stites |
| Rodney G. Bryson | J. M. Knott | Frank L. Strange |
| W. T. Carner | Hebron Lawrence | T. R. Stults |
| J. F. Carr | Joseph Lazarus | John W. Swope |
| T. L. Caudel | Elmer Lusby | John B. Thomas |
| Charles M. Ciarlo | R. C. Marcum | J. Mack Thompson |
| B. L. Cox | I. S. Mason | J. H. Thompson |
| J. S. Cruse | A. J. McCandless | Dr. D. J. Travis |
| P. A. Day | R. L. McFerron | C. B. Truesdell |
| H. N. Dean | Homer C. McLellen | John L. Trumbo |
| J. B. Denues | Mack J. Morgan | J. Wood Vance |
| H. C. Duffy | John T. Murphy | Fred C. VanHoose |
| J. M. Fostery | Estill W. Néel | Daniel Vose |
| Dr. T. H. Gamblin | T. C. Pryse | Geo. C. Waggoner |
| B. J. Goehringer | B. F. Reynolds | A. M. Wash |
| A. F. Hanberry | Sherman Robbins | J. S. Webb |
| E. C. Hardin | Lee Rogers | Dr. T. R. Welch |
| Dr. W. L. Haynes | B. A. Roth | Gladstone Wesley |
| Talbert Holliday | Dr. Lewis Ryans | W. G. Wheeler |
| D. J. Howard | Chas. R. Scott | R. E. Wilborn |
| A. R. Hudson | W. P. Scott | Dr. W. S. Yazell |
| Adam W. Huff | Dr. B. F. Shields | —77 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Geveden | Rev. J. A. Lee |
| W. M. Boling | Frank Kennard | Chas. A. Nelson |
| | | —6 |

Resolved, that the title thereof be as aforesaid.

Mr. Duffy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then the House took up for consideration from the orders of the day H. B. No. 196.

Dr. Yazell moved that it be made a special order for ten-thirty o'clock A. M., Thusrday, February 19th, 1920.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 237. An act to regulate and protect fur bearing animals, and to prevent the killing thereof, except between the first day of November and the first day of the succeeding March.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That it shall be unlawful for any person to catch, kill or destroy any fur-bearing animals, wild by nature, except between the 31st day of October and the first day of the succeeding March. Any person violating this act shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than ten nor more than fifty dollars.

All laws and parts of laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | Dr. Lewis Ryans |
| L. H. Ballard | Henry Kaufman | Chas. R. Scott |
| H. H. Barnes | W. L. Kimbrough | Dr. B. F. Shields |
| S. M. Bennett | J. M. Knott | H. G. Skiles |
| J. M. Billiter | Dr. S. D. Laughlin | S. G. Smith |
| W. M. Boling | Hebron Lawrence | John T. E. Stites |
| Rodney G. Bryson | Joseph Lazarus | Frank L. Strange |
| J. F. Carr | Rev. J. A. Lee | John W. Swope |
| T. L. Caudel | A. J. McCandless | J. Mack Thompson |
| B. L. Cox | R. L. McFerron | Dr. D. J. Travis |
| P. A. Day | Homer C. McLellen | C. B. Truesdell |
| H. N. Dean | Mack J. Morgan | Fred C. VanHoose |
| H. C. Duffy | John T. Murphy | Daniel Vose |
| B. J. Goehringer | Estill W. Neel | W. G. Wheeler |
| J. W. Geveden | Chas. A. Nelson | R. E. Wilborn |
| A. F. Hanberry | T. C. Pryse | W. N. Winn |
| Dr. W. L. Haynes | B. F. Reynolds | Dr. W. S. Yazell |
| A. R. Hudson | Sherman Robbins | |
| R. O. Huntsman | B. A. Roth | |

—55

Those who voted in the negative were—

| | | |
|---|---|---|
| W. T. Beckham | Elmer Lusby | John B. Thomas |
| J. S. Cruse | Lee Rogers | J. H. Thompson |
| E. C. Hardin | W. P. Scott | J. Wood Vance |
| D. J. Howard | H. A. Spillman | A. M. Wash |
| Frank Kennard | T. R. Stults | Dr. T. R. Welch |

—15

Resolved, that the title thereof be as aforesaid.

Mr. Carr moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 322. An act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the governing authority of any political party in this state having a constituted authority for its government and regulation and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state shall have the power to prescribe the manner and method of nominating its candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agri-

culture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

§ 2. If the governing authority of any party embraced within the provisions of this act determines to nominate its candidates for any of said offices by a primary election, then such primary election shall be held under the provisions of the general state primary election law now in force or that may hereafter be enacted by the General Assembly of the Commonwealth of Kentucky; Provided, however, that the governing authority of such party shall have no power to prescribe a different method of nominating its candidates for any of the following offices, to-wit: Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction and Clerk of Court of Appeals, but the same method shall be prescribed by the said governing authority of such party for the nominations for each of said offices.

§ 3. If the governing authority of any party embraced within the provisions of this act determines to make nominations for any of the offices mentioned in this act by a primary election, then such governing authority shall make such order at least seventy-five (75) days prior to the date the state primary election is required by law to be held, and its action in ordering such nominations to be made by primary shall be immediately by its proper officers certified to the Secretary of State, and when so ordered and certified to the Secretary of State, such nominations shall be made in the state primary election, as provided by law, and not otherwise.

§ 4. Nothing in this act shall be construed to prevent political organizations and parties not embraced therein from making their nominations for any of the offices mentioned in this act as they are now permitted by law to make same.

§ 5. All laws in conflict with the povisions of this act are hereby repealed.

Mr. Lazarus offered the following amendment:

Amendment No. 1. Section 6. Whereas, under the provisions of this act the governing authorities of the political parties affected by the same will not have opportunity to give notice required by this act in event they desire to nominate by primary at the coming August primary, unless this act becomes effective at the earliest date possible, an emergency is, therefore, hereby declared to exist and this act shall be effective from and after its passage and approval as required by law.

Mr. Murphy moved to recommit.

Said motion was lost.

Mr. Duffy moved to make the bill a special order for 11:00 o'clock A. M. tomorrow.

Said motion was lost.

Mr. Murphy offered the following amendment, viz.:

Amendment No. 2. By adding after the word "United States Senators" in line 10, the word "Congressmen." Also after the word "Court of Appeals" in line 12 the word "Congressmen."

Mr. Murphy and another demanded a roll call thereon.

A roll call was had and resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Lon Adams | Griffin Kelly | H. G. Skiles |
| L. H. Ballard | Frank Kennard | H. A. Spillman |
| W. T. Beckham | J. M. Knott | John T. E. Stites |
| W. M. Boling | Dr. S. D. Laughlin | Frank L. Strange |
| T. L. Caudel | Rev. J. A. Lee | John W. Swope |
| B. L. Cox | Elmer Lusby | John B. Thomas |
| P. A. Day | John T. Murphy | J. Mack Thompson |
| H. C. Duffy | Chas. A. Nelson | J. H. Thompson |
| J. W. Geveden | T. P. Oliver | Dr. D. J. Travis |
| Dr. W. L. Gossett | B. F. Reynolds | Dr. T. R. Welch |
| A. L. Hamilton | Lee Rogers | W. G. Wheeler |
| Dr. W. L. Haynes | Chas. R. Scott | W. N. Winn |
| D. J. Howard | W. P. Scott | |
| J. W. Johnson | Dr. B. F. Shields | —40 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney Alfrey | A. F. Hanberry | R. L. McFerron |
| H. H. Barnes | E. C. Hardin | Homer C. McLellen |
| S. M. Bennett | Talbert Holliday | Mack J. Morgan |
| J. M. Billiter | A. R. Hudson | Estill W. Neel |
| Rodney G. Bryson | Adam W. Huff | T. C. Pryse |
| W. T. Carner | Robt. Humphreys | Sherman Robbins |
| J. F. Carr | R. O. Huntsman | B. A. Roth |
| Charles M. Ciarlo | Henry Kaufman | Dr. Lewis Ryans |
| J. S. Cruse | W. L. Kimbrough | S. G. Smith |
| H. N. Dean | Hebron Lawrence | R. Lee Stewart |
| J. B. Denues | Joseph Lazarus | Wm. A. Stewart |
| J. M. Foster | R. C. Marcum | T. R. Stults |
| Dr. T. H. Gamblin | I. S. Mason | C. B. Truesdell |
| B. J. Goehringer | A. J. McCandless | John L. Trumbo |

| | | |
|---|---|---|
| J. Wood Vance | A. M. Wash | R. E. Wilborn |
| Fred C. VanHoose | J. S. Webb | Dr. W. S. Yazell |
| Daniel Vose | Gladstone Wesley | —50 |

Said amendment was lost.

Mr. Vance offered the following amendment, viz.:

Amendment No. 3. By inserting after the word "same" in line 4 of section 4 the words "Provided, however, that the state shall pay expenses of any convention held by either of the two dominant parties."

Said amendment was disagreed to.

Mr. Vance offered the following amendment, viz.:

Amendment No. 4. Amend H. B. 322 by striking out the words "and United States Senators" in section 1, lines 9 and 10.

Said amendment was lost.

Mr. Murphy moved that the House do now adjourn.

Mr. Lazarus moved to amend that motion by fixing the time of adjournment at four o'clock today.

Said amendment was adopted.

Then the motion, as amended, was adopted.

Mr. Lazarus moved the previous question.

The Speaker stated, "Shall the main question now be ordered?"

The question was decided in the affirmative.

Mr Lazarus moved to extend today's session indefinitely.

Said motion was agreed to.

Mr. Huntsman moved to suspend the rules and to postpone the further consideration of H. B. 322 until tomorrow (February 19) at 11:30 o'clock, a. m.

Mr. Murphy and another demanded a roll call thereon which resulted as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Sidney Alfrey | Talbert Holliday | Lee Rogers |
| L. H. Ballard | A. R. Hudson | B. A. Roth |
| H. H. Barnes | Adam W. Huff | Dr. Lewis Ryans |
| S. M. Bennett | R. O. Huntsman | S. G. Smith |
| J. M. Billiter | Henry Kaufman | R. Lee Stewart |
| Jo F. Bosworth | W. L. Kimbrough | Wm. A. Stewart |
| Rodney G. Bryson | Hebron Lawrence | T. R. Stults |
| W. T. Carner | Joseph Lazarus | C. B. Truesdell |
| J. F. Carr | R. C. Marcum | John L. Trumbo |
| Charles M. Ciarlo | I. S. Mason | Fred C. VanHoose |
| B. L. Cox | A. J. McCandless | Daniel Vose |
| J. S. Cruse | R. L. McFerron | A. M. Wash |
| H. N. Dean | Homer C. McLellen | J. S. Webb |
| J. B. Denues | Mack J. Morgan | Gladstone Wesley |
| J. M. Foster | Estill W. Neel | R. E. Wilborn |
| Dr. T. H. Gamblin | T. P. Oliver | Dr. W. S. Yazell |
| B. J. Goehringer | T. C. Pryse | |
| A. F. Hanberry | Sherman Robbins | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Lon Adams | Griffin Kelly | H. A. Spillman |
| W. T. Beckham | Frank Kennard | John T. E. Stites |
| W. M. Boling | J. M. Knott | Frank L. Strange |
| T. L. Caudel | Dr. S. D. Laughlin | John W. Swope |
| P. A. Day | Rev. J. A. Lee | John B. Thomas |
| H. C. Duffy | Elmer Lusby | J. Mack Thompson |
| J. W. Geveden | John T. Murphy | J. H. Thompson |
| Dr. W. L. Gossett | Chas. A. Nelson | Dr. D. J. Travis |
| A. L. Hamilton | B. F. Reynolds | J. Wood Vance |
| E. C. Hardin | Chas. R. Scott | Dr. T. R. Welch |
| Dr. W. L. Haynes | W. P. Scott | W. G. Wheeler |
| Robt. Humphreys | Dr. B. F. Shields | W. N. Winn |
| J. W. Johnson | H. G. Skiles | —38 |

So said motion was adopted and the further consideration of said bill was postponed until tomorow at 11:30 o'clock A. M.

Mr. Lazarus moved that the vote by which further consideration of said bill was postponed be reconsidered and that motion lie on the table.

Said motion was agreed to.

Dr. Ryans moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4.30 o'clock p. m., adjourned.

## THURSDAY, FEBRUARY 19, 1920.

The House was called to order at 10 o'clock, A. M., by the Speaker, Mr. Bosworth.

The House was opened with prayer by Rev. McGlothlin, of the Baptist Church.

The roll call to ascertain the presence of a quorum resulted as follows:

| | | |
|---|---|---|
| Lon Adams | A. R. Hudson | Dr. Lewis Ryans |
| Sidney Alfrey | Adam W. Huff | Chas. R. Scott |
| L. H. Ballard | Robt. Humphreys | W. P. Scott |
| H. H. Barnes | R. O. Huntsman | Dr. B. F. Shields |
| W. T. Beckham | J. W. Johnson | H. G. Skiles |
| S. M. Bennett | Henry Kaufman | H. A. Spillman |
| J. M. Billiter | Griffin Kelly | R. Lee Stewart |
| W. M. Boling | Frank Kennard | Wm. A. Stewart |
| Jo F. Bosworth | W. L. Kimbrough | John T. E. Stites |
| Rodney G. Bryson | J. M. Knott | Frank L. Strange |
| W. T. Carner | Hebron Lawrence | T. R. Stultz |
| J. F. Carr | Joseph Lazarus | John W. Swope |
| T. L. Caudel | Rev. J. A. Lee | John B. Thomas |
| Charles M. Ciarlo | Elmer Lusby | J. Mack Thompson |
| A. S. Cooper | R. C. Marcum | J. H. Thompson |
| B. L. Cox | I. S. Mason | Dr. D. J. Travis |
| J. S. Cruse | A. J. McCandless | C. B. Truesdell |
| P. A. Day | R. L. McFarron | John L. Trumbo |
| H. N. Dean | H. C. McLellen | J. Wood Vance |
| J. B. Denues | Mack J. Morgan | Fred C. VanHoose |
| H. C. Duffy | John T. Murphy | Daniel Vose |
| J. M. Foster | Estill W. Neel | G. C. Waggoner |
| Dr. T. H. Gamblin | Chas. A. Nelson | A. M. Wash |
| B. J. Geohringer | T. P. Oliver | J. S. Webb |
| Dr. W. L. Gossett | T. C. Pryse | Dr. T. R. Welch |
| A. L. Hamilton | S. C. Ray | Gladstone Wesley |

| | | |
|---|---|---|
| A. F. Hanberry | B. F. Reynolds | W. G. Wheeler |
| E. C. Hardin | J. L. Richardson | R. E. Wilborn |
| Dr. W. L. Haynes | Sherman Robbins | V. M. Williamson |
| Talbert Holliday | Lee Rogers | W. N. Winn |
| D. J. Howard | B. A. Roth | Dr. W. S. Yazell |

Present....93

On motion of Mr. Hudson the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. Hudson moved that House Bill No. 139 be recommitted to the committee with leave to report at any time.

Upon a division said motion was lost. Yeas 27. Nays 34.

The following bills passed by the House were sent to the Senate for its action thereupon:

House Bills Nos. 124, 159, 41 and 60.

Mr. Hardin offered the following joint resolution:

Whereas, there is an imperative demand upon the Legislature to take cognizance of the conditions existing in many counties of this State as a result of a crude system of fiscal affairs that has outgrown its usefulness and that fails to measure up to the needs of the hour; and

Whereas, the members of the fiscal courts of the various counties are allowed practically no remuneration for the very important services they are supposed to perform; and

Whereas, the office of justice of the peace is one of the most important within the gift of the people; and

Whereas, it would be impractical to attempt to enact any law within the time remaining to this Legislature for that purpose, that would comprehend a just and equitable revision of the cumbersome and unsatisfactory fiscal system now in vogue in the counties of this Commonwealth; and

Whereas, time and careful study will be necessary to secure a practical and workable revision of our present law relating to courts of justices of the peace;

*Therefore, be it resolved by the House of Representatives and Senate of the Commonwealth of Kentucky*:

That the Speaker of the House and the President of the Senate name a Commission of Investigation, to be composed of three members of the present House of Representatives, to be named by the Speaker, and two members of the Senate, to be named by the Lieutenant Governor, the duty of this Commission to be to make a complete survey of the fiscal affairs of the counties of this State, as the same relates to the fiscal courts and the justices courts thereof, and to secure information from other States as to the methods in vogue in such other States in the management of county affairs, and to secure such other information as will assist the Legislature of Kentucky in dealing with the vital question in an intelligent manner. The Commission herein constituted shall make its investigation and file a written report with the General Assembly which meets in January, 1922.

The Commission shall have power to summon witnesses, to administer oaths, examine records and perform such other duties as may be reasonably necessary in the performance of its duties. The members shall serve without compensation, but their actual and necessary expenses while engaged in their investigation shall be paid by the Commonwealth, upon presentation of same, approved by the chairman of said Commission.

Under the rules said resolution lies over one day.

Mr. Lee moved to take from the Committee on Kentucky Statutes Senate Bill No. 66, and that same be read into the Calendar.

Said motion was adopted.

Mr. Wash moved to postpone the special order today (House Bill No. 196) until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Murphy moved that the vote by which Senate Bill No. 66 was taken from the committee be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Then Senate Bill No. 66 was read at length the first time and ordered to be placed in the Calendar.

The House took up for consideration from the Orders of the Day, the special order (House Bill No. 196) which reads as follows:

House Bill No. 196. An Act defining boundaries for school districts, embracing cities of the fourth class, and providing systems of schools in such districts, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

Said bill reads as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Each city of the fourth class in this State, together with the territory now within its limits, including any territory which has heretofore been added for school purposes outside the limits of said city and any territory which may be in the future included by any change in the limits of such cities, or such territory as may be added in the manner as hereinafter set out in Section 31, shall be and constitute a single school district, and the supervision and government of common schools and common school property therein shall be vested in a board of six trustees to be called and known as the Board of Education of ....., Kentucky. (In which space the name of such city shall be inserted.) Such Board of Education shall be a body corporate and shall have power, by and in said name, to sue and be sued, contract and be con-

tracted with, purchase, receive, hold, and sell property, issue its bonds, and do all things necessary to accomplish the purpose for the attainment of which said school district is organized and succeed to all the property, property rights, and privileges of whatever kind or nature granted and belonging to any previous corporation, Board of Education or school district in said city or in which said city was embraced, or officers thereof authorized or empowered by any enactment of the General Assembly of the State to do anything in reference to the public education, provided that all pending suits to which any such previous corporation, board of Education, or school district or officers thereof, is a party, may be prosecuted to an end in the name of such party. The titles to property previously granted to such city by the United States or this State for common school purposes and the title to all school lands and other property of every kind shall be vested in the Board of Education created by this Act.

§ 2. Every such Board of Education shall have general and supervising control, government and management of the public schools, including kindergartens, night and normal schools, vocational and high schools as hereinafter provided, and public school property in such city, with the right to use said property to promote public education in such ways as it may deem necessary and proper; shall exercise generally all powers in the administration of the public school system therein, appoint such officers, agents and employees as it may deem necessary and proper; and fix their compensation and term of office; shall have power to fix the time of its meetings, to make, amend and repeal rules and by-laws for its meetings and proceedings, for the government, regulation and management of the public schools and school property of such city, for the transaction of its business, and for the examination, qualification, and employment of teachers, which rules and by-laws, when not inconsistent with the general law of the State, shall be binding on such Board of Education and all parties dealing with it until formally repealed by an affirmative vote of four members of said board; to provide for special and standing committees; to provide for the appointment of a

medical inspector for the school, and to take such other steps as may be proper and necessary to secure and maintain the physical welfare of the pupils therein; to certify to the general council or the board of commissioners the amount of money necessary for the maintenance and improvement of the schools as hereinafter provided, and to purchase and hold all property, real and personal, deemed by it necessary for the purposes of public education, or for the investment of the public school funds; to build and construct improvements for such purposes and to hold or sell the same.

§ 3. It shall also have power, when unable to contract with the owner of any real estate necessary to the proper accomplishment of the purpose for which said board is created, to institute condemnation proceedings in accordance with the law governing railroad corporations operated or incorporated under the existing laws of this Commonwealth, under laws which may hereafter be enacted; and to have in such proceedings the same rights, powers, privileges and restrictions, as are now granted to or conferred upon such railroad corporations. Such Board of Education shall have all the powers of other school districts under the laws of this State, except as herein provided.

§ 4. No person shall be eligible to the office of member of the Board of Education who has not attained the age of twenty-four (24) years, and who is not a citizen of the United States, and who has not been such citizen for at least three years preceding his election, and a resident of the city or district for which he is elected, or who holds or discharges any office, deputyship or agency under the city or county of his residence; except that any member of said board, or any existing board, shall be eligible for re-election; no person shall be eligible to this office who, at the time of his election, is directly or indirectly interested in the sale to the board of books, stationery, or other property. If, at any time after the election of any member of said board, he shall become interested in any such contract with or claim against said board, or if he shall, after election, become a candidate for any office or agency or for the nomination thereto, the holding and the

discharging of the duties of which would have rendered him ineligible before election, or if he shall move his residence from the city for which he was chosen, or if he shall do or incur anything which would have rendered him ineligible for election, his office shall, without further action, be vacant, and it shall be filled as herein directed. Provided, that no member of said board shall vote regarding the appointment or employment in any capacity of any person related to said member as father, mother, brother, sister, husband, wife, son or daughter, nephew or niece.

§ 5. Every member of said board shall, before assuming the duties of his office, qualify by taking the following oath, in addition to the Constitutional oath, which shall be kept on record in such board:

"State of Kentucky, county of .....,

".....,, being duly sworn, says that he is eligible under the law to serve as a member of the Board of Education, and that he will not, while serving as a member of such board, become interested, directly or indirectly, in any contract with or claim against said board, and that he will not be influenced during his term of office by any consideration except that of merit or fitness in the appointment of officers or engagement of employees, and that he will support the Constitution of the United States and of this State, and faithfully perform the duties of his office.

".....

"Sworn to and subscribed before me this..... day of .....

".....,"

§ 6. No compensation shall be paid to the members of the board except as herein provided, but they shall be exempt from jury duty and from service as election officers during their term of office. The members of said Board of Education shall be elected from the city or district at large for the term of four years by the regular voters of such city or district. They shall be elected from the city or district at large without reference to wards or other territorial subdivisions, and such elections shall be held under the provisions of the

general laws governing city elections so far as they are not inconsistent with the provisions of this Act.

§ 7. All elections for members of the Board of Education shall be by secret ballot. Said ballot shall be on a separate sheet from all other ballots to be used in any election. It shall be the duty of the county clerk of any county in which a city of the fourth class is situated, to cause to be printed on said ballot the names of all candidates for membership on said Board of Education, in whose behalf he shall be petitioned so to do in writing, by not less than fifty legal voters of such district. The petitions must be filed in the office of the county clerk not more than sixty and not less than fifteen days before the day of election, and each petition must be signed by the requisite number of qualified persons and shall show the place of residence of each person signing it, and no person shall sign more petitions than the number of offices to be filled.

Said ballot shall be in the form prescribed for ballots by the general election law of the State, except that no party emblem or other emblem or distinguishing mark shall be placed upon said ballot, save the words, "School Ticket," at the head thereof; and that the names of all candidates for membership in the Board of Education shall be printed on said ballot in a single column in the order the petitions are filed. As many additional lines shall be left blank as there are members to be elected.

The provisions of the general election law of the State of Kentucky as to the duties of the county clerks and other public officers in the matter of printing and distributing ballots, of issuing them to voters, of receiving and depositing them in the ballot boxes and of counting and preserving them, and in other particulars except as otherwise provided herein, shall be applicable in all respects to the election of members of the Board of Education. Provided, that it shall be the duty of the sheriff of each county in which a city of the fourth class is situated to provide for each precinct in said city or district a separate box for the reception of the ballots used in the election of members of the Board of Education.

And provided, further, that it shall be the duty of the judge of the opposite political faith to the clerk of election in each precinct to issue the school ballots in the same manner as other ballots are issued by the clerk of election, by writing the name and residence of the voter upon the primary stub, and his registered number upon the secondary stub of the school ballot, and by observing, as to these ballots, such other regulations for the issue and deposit of ballots as may be prescribed for elections generally. It shall be unlawful for an election officer or other person within the election booth to tell or indicate by word of mouth or otherwise to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor punishable by a fine not exceeding two hundred dollars.

§ 8. Each voter may vote for as many of said candidates as there are members to be elected, by making a cross opposite the name of each candidate for whom he wishes to vote. The candidates, equal in number to the number of members to be chosen, who have the highest number of votes, shall be declared elected.

§ 9. Upon this law going into effect where systems of public schools have been maintained embracing cities of the fourth class under laws in force in the State of Kentucky, whether by special charters or general laws, such schools shall automatically come under the provisions of this law, and the qualified and acting boards of education or trustees of such schools shall, at once, organize under this law and be and become entitled to all its powers, rights, and benefits, and shall serve as a Board of Education for such district until the 31st day of December, 1920. At the election occurring in the month of November, 1920, a new Board of Education, consisting of six members, shall be elected as herein provided, and such board shall, after having qualified by taking the oath prescribed by law, assume office on the first Monday in January, 1921, and shall meet at the office of the Board of Education in said district on said day and proceed to organize by electing one of their number president and another vice-president, provided that in cities where boards of education

were elected at the 1919 November election for a term of two years or more, the method of selecting the board members as herein provided shall not be put into operation until the election occurring in the month of November, 1921, said members assuming office on the first Monday of January, 1922. Within one week after the organization of said board, it shall meet to divide its members by lot in such manner as they shall determine, into two classes, as follows: The first class, consisting of three members, shall hold office through the 31st day of December, 1922, and the second class, through the 31st day of December, 1924. At the election every two years thereafter, an election shall be held to fill the term of the members of the Board of Education whose terms will expire on December 31, following, and the members so chosen shall hold office for four years, or until their successors are elected and qualified. At its first regular meeting after the first day of January in each year following said regular elections, said Board of Education shall organize by electing one of its members president and another vice-president. The board shall hold meetings regularly at least once a month, and shall keep a correct record of its proceedings in a book provided for that purpose, which shall be a public record open to inspection of any officer or citizen of the city or district.

Until the qualification of the new board as herein provided, administration of the public schools and the management of school property in such district shall remain in the control of the existing Board of Education as hereinbefore provided, with all the powers and rights given by this Act and as existing prior to the passage of this Act not in conflict therewith; and the Board of Education elected at the November election, 1920, shall continue the employment and service of any existing officers, teachers, agents, or other employees, subject to removal for cause, in their several capacities in connection with the administration of school affairs, until the close of the term for which they have been elected.

§ 10. Any member failing to attend the meeting of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated his seat.

§ 11. Any vacancy in said board, from whatever cause occurring, shall be filled by the other members of the board as soon as practicable after such vacancy occurs. The member so chosen shall hold office for the remaining part of the term of his predecessor, and until his successor is elected and qualified, subject to the provisions of Section 152 of the Constitution of Kentucky.

§ 12. All rules and by-laws heretofore made by the boards of education, trustees, or controlling officers of such district shall continue in force so far as consistent with this Act until repealed or altered by such Board of Education; and the said Board of Education may make any rules or by-laws that it deems proper for the government, regulation, and management of the schools and school property and for the examination, qualification, and employment of teachers.

§ 13. The Board of Education shall appoint a superintendent of schools, whose term of office shall begin on July 1, following his appointment, and who shall serve for a term of one year, but whenever a superintendent shall have served one year after the appointment, which is to be made under this law, and shall be reappointed to succeed himself, his reappointment shall be for a term of either two or four years, as shall be determined by the Board of Education. He may be removed by four members of the board for cause, and the vacancy thus created shall be filled by the board only until the first day of July, following, when the temporary incumbent, or some other person, shall be appointed for a first term of one year, as hereinbefore provided. The Board of Education may, on the nomination of the superintendent of schools, appoint as many assistant superintendents as it may deem necessary, whose compensation shall be fixed by the board and who may be removed for cause by the superintendent, with the approval of four members of the board.

The superintendent of schools shall qualify by taking the oath prescribed by law, and shall have general supervision, subject to the control of the board, of the course of instruction, discipline, and conduct of the schools, text books and studies; and all appointments, promotions, dismissals

and transfers of teachers and truant officers, and introduction and change of text books and apparatus shall be made only upon the recommendation of the superintendent and the approval of the board. The superintendent shall have power to suspend any teacher, pupil, or truant officer for cause deemed by him sufficient, and the Board of Education shall take such action upon the restoration or removal of such person as it may deem proper. All appointments and promotions of teachers shall be made upon the basis of merit, to be ascertained, as far as practicable, in cases of appointment by examination and in case of promotion by length and character of service. The Board of Education shall provide for the examination of teachers and issue certificates to them. It may recognize State diplomas, State certificates, or State University and Normal School certificates, which are valid under the general school laws. The superintendent of schools shall devote himself exclusively to the duties of his office, and shall have power to appoint clerks, whose number and salary shall be fixed by the board, and shall have power to remove the same; shall exercise general supervision over the schools of the city, examine their condition and progress, and shall keep himself informed of the progress of education in other cities. He shall advise himself of the need of extension of the school system of the city, shall make report from time to time as may be fixed by the rules or directed by the board, and shall be responsible to the board for the condition of the instruction and discipline of the school. The term "teacher," as used herein, shall include supervisors, supervising principals, and principals.

§ 14. The Board of Education may appoint a secretary, who may or may not be a member of the board, who shall receive a reasonable salary to be fixed by the Board of Education. He shall keep the records of the Board of Education, and perform such other duties as may be imposed upon him by said board. The orders of the board shall be valid when countersigned by the president and secretary of said board. All checks issued by said board shall be given in the name of the Board of Education and signed by the secretary and countersigned by the president. The secretary shall be custodian

of all securities, documents, title papers, books of record, and other papers belonging to the board, under such conditions as the board may direct.

§ 15. Said Board of Education shall annually elect its own treasurer, whose term of office shall begin on the first day of July, and fix bond of same, who shall keep a distinct account of all moneys belonging unto or which may hereafter be dedicated to or set apart for public schools, and shall only pay out or deliver any of said funds upon the warrant of the Board of Education signed by the secretary and countersigned by the president of the Board of Education, and shall perform such other duties as may be prescribed by said board.

§ 16. The Board of Education shall have the power to borrow money on the credit of the board in anticipation of the revenue from school taxes for the fiscal half year in which the same is borrowed, and pledge said school taxes for the payment of the principal and interest of said loan; provided that the interest paid shall in no case exceed six per centum per annum and the principal shall in no case exceed fifty per cent. of the anticipated revenue for the fiscal half year in which the same is borrowed.

Said Board of Education shall also have authority to employ an architect when necessary, and to fix his compensation. The Board of Education shall also have power to appoint such other engineers, janitors and other employees and agents as may be necessary for the proper conduct of the schools.

§ 17. The contract for the erection of school buildings and additions thereto shall be made by said Board of Education after public letting to the lowest and best responsible bidder complying with the terms of the letting, but it may reject all bids. The necessary specifications and drawings shall be prepared for all such work, and bids therefor shall be solicited by such advertisement as the Board of Education may provide. All work or repairs, alterations and construction, other than such original erections and additions, shall be ordered by the Board of Education. Bids may be solicited for said work when desired. The board shall also have the

right to purchase all supplies, and may ask for bids when the amount of the purchase exceeds fifty dollars.

§ 18. The Board of Education shall provide, maintain, and support separate schools, and provide for the education of all colored children who are bona fide residents of said district and entitled to free tuition in the common schools. Said colored schools or children shall be entitled to the same benefits, be governed and controlled by the same rules and regulations, and be subject to the same restrictions as the schools herein provided for white children. In cities of the fourth class in which there has heretofore been organized a system of free graded schools for the education of both white and colored children of said cities under and by virtue of the charter of cities of the fourth class and managed and controlled by a Board of Education and where, by ordinance of the general council, said systems of schools have been separated into a graded free white common school for the white pupils of such district and into a graded free colored common school for the colored pupils of said district under separate boards, or where such separate schools have existed under the general laws of the State of Kentucky under separate boards, the colored Board of Education in such city or district, as now existing, is hereby abolished, and all the property, rights, choses in action owned by such colored Board of Education shall vest in the remaining white Board of Education and become a part of the common school property of such city or district as is provided under this law, and all its liabilities and obligations shall be assumed by said remaining Board of Education and become an obligation and liability of said Board of Education; and said white Board of Education shall constitute the Board of Education of such city or district until the regular election herein provided for in November, 1920.

§ 19. Said Board of Education shall, within thirty days prior to the time prescribed for the levy to be made in the charter of cities of the fourth class, approximately ascertain the amount of money which will be necessary to be used to defray the expenses of maintaining the schools, including a

sinking fund, repairs and improvements of buildings, and any liquidation of liabilities falling due during the current fiscal year, and conducting the business intrusted to the board during the current fiscal year over and above the amount due to it by the State as provided in Section 21, and shall enter same upon the minute book of the board; and power and authority is hereby conferred upon such Board of Education to impose and levy ad valorem taxes upon all real and personal property in said city or district subject to and assessed for taxation for city or county purposes not exceeding a rate of two dollars upon each $100.00 of taxable property, and also a poll tax on each male inhabitant over twenty-one years of age within said district of not exceeding $2.00, and shall also levy a sufficient amount to provide for sinking fund purposes for the fiscal year, and the taxes accruing from so much of said levy as is made for sinking fund purposes shall be, by said Board of Education, at once irrevocably set aside and used for that purpose and not otherwise, and said sinking fund as above provided shall include the sinking fund for the entire outstanding bonded indebtedness for said board.

The said Board of Education shall adopt a resolution imposing and leving an ad valorem tax upon all the real and personal property subject to taxation and assessed by said city or county for general purposes at such rate but not exceeding one dollar and fifty cents on the $100.00 valuation of said property, and a poll tax not exceeding the amount of $2.00 on each male inhabitant over twenty-one years of age in said district as shall, in the opinion of said board, be necessary to produce in that year the total sum necessary to be raised to support and maintain the public schools of said district less the estimated sum to be received from the State common school fund, and shall also levy a tax for sinking fund purposes, and said resolution shall be forthwith certified under the seal of the city Board of Education to the general council or the board of commissioners of said city, and where such district includes territory outside of such city, to the fiscal court of said county, and said levy at the rate so fixed and certified shall be, by said general council or board of commissioners or the said fiscal court, added to and included in

the regular tax bills of the city containing the ordinary levy, and said city shall, by proper ordinance, make such levy as also the said fiscal court shall make such levy and it shall be collected with the same by the same officers and in the same manner and at the same time as ordinary taxes for said city or county are collected by the collecting officers of the city, and all powers and duties conferred upon and required of officers in collecting the ordinary city and county taxes are hereby conferred upon and required of them in collecting the taxes levied by the Board of Education, and such collecting officer or officers and his or their sureties shall be severally liable under the official bonds for any failure in the performance of their duties; on which bond or bonds, suit or suits may be brought for the use of the said board and recovery had and for such amount or amounts as shall be found due from such officer or officers as and when said taxes are collected, the said city treasurer or sheriff or other collecting officer of said city or county shall promptly pay the same to the treasurer of the Board of Education, taking the receipt of the said treasurer for the sum so paid which will be the full acquittance of said treasurer or collecting officer therefor, and the said Board of Education shall certify to the general council or board of commissioners and fiscal court of the county the name and location of this treasurer and of any change in said name or location; provided, however, that the limitation hereinbefore prescribed as a tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for public school purposes, and when such indebtedness has been incurred, that there may be levied in addition to the tax heretofore authorized, an ad valorem tax sufficient to pay the interest on said indebtedness and also to constitute a sinking fund for the payment of the principal thereof. The provisions hereof shall apply to any bonded indebtedness, whether heretofore or hereafter created.

If in any year, the board shall fail to pass the resolution and make the certificate and request as aforesaid, the general council or its board of commissioners and fiscal court shall make a levy for schools that shall be the same as it was the year before.

§ 20. Whenever the Board of Education shall deem it necessary for the proper accommodation of the schools of such district to acquire or enlarge sites for school buildings to erect, improve, remodel, rebuild, or restore buildings for high schools or for any other school purposes or for the equipment of the same or for any or all these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes, said board shall make a careful estimate of the amount of money required for such purpose or purposes and it shall certify to the general council or the board of commissioners of said city the fact that an election for an issue of bonds for school improvement shall be held together with the amount of money for which bonds shall be issued and the purpose or purposes to which the proceeds thereof shall be applied. It shall, thereupon, be the duty of the general council or the board of commissioners to adopt an ordinance, submitting to the qualified voters of the city at a time to be fixed in said ordinance not less than fifteen nor more than thirty days from the time such certificate is filed with it, the question whether the bonds shall so issue for the purpose or purposes aforesaid. The bonds so issued shall be designated as "School Improvement Bonds" and the ordinance shall fix the time the bonds shall run, and if a serial issue, then the amount to mature at each time, and limit the rate of interest which shall be permitted on said bonds, which shall not be exceeding six per cent., and the total amount of bonds to be issued and to provide for the levy of a tax to pay the interest and to either redeem the bonds as they mature or to provide for the accumulation of a sinking fund to retire them at their maturity.

Whenever the boundary of the school district does not coincide with the boundary of the city and it is necessary to take a vote on the bond issue, it shall be the duty of the county judge of the county in which said city is located to call an election for such bond issue on the day set apart for said election in the ordinance so adopted by the said board of council for such outside territory. In that event it shall be the duty of the county judge of the county or counties

where such city is located to perform all the duties imposed upon the board of council as set out in this section.

The bond issue herein provided for shall not exceed two percentum of the value of the taxable property of the district to be estimated by the assessment next before the last assessment previous to the incurring of the indebtedness. The question to be submitted shall be so framed that the voter may, by his vote, answer "for" or "against." If the voters of the district shall determine, by a two-thirds majority of those voting, that such bonds shall be issued, they shall, when so issued, be placed under the control of the Board of Education who shall determine when and at what price and how they shall be sold and the date, number of bonds, denomination, whether coupon or registered, the rate of interest and frequency of payment thereof, place of payment of principal and interest, and other details as desired embodied in the bonds or in the ordinance providing for their issue, and shall certify the same to the governing body of said city as also to the fiscal court of said county where territory outside of said city is embraced in said district, and it shall be the duty of said board of council at once to adopt an ordinance in conformity therewith and cause the bonds to be at once properly prepared and executed and turned over to the Board of Education for sale and delivery, which ordinance shall be certified to the fiscal court of said county. Said bonds shall be signed by the president and secretary of the Board of Education and shall not be sold for less than par and accrued interest. As the bonds are sold, their proceeds shall be placed to the credit of the Board of Education in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purposes for which the bonds were issued. It shall be the duty of the general council or the board of commissioners, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in its tax levy a rate that will raise a sum that shall be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. The said bonds, principal and interest, shall be a

charge upon the sinking fund of said city and shall be entitled to have the annual tax that shall be levied as aforesaid.

It shall also be the duty of the Fiscal Court of the county in which such school district is located, if it embraces any territory outside of said city, to make the necessary levy of the property in such district outside of the boundary of the city in order to liquidate the said bonded indebtedness. The same rate of taxation for liquidating said bonded indebtedness shall apply in the city and in the territory in such district beyond the city.

The said election shall be conducted and carried out in such districts in all respects as is required by law for elections in the State of Kentucky, notices thereof to be given and held by the same officers and in all other respects as is required by the general election laws of the State of Kentucky.

§ 21. Said systems of schools shall also be entitled to and receive from year to year the pro rata share of the State school funds due to such district, as constituted under this law, which shall be paid by the State Superintendent of public instruction direct to the treasurer of the said Boards of Education, which fund shall be taken into consideration by the board of education in making its estimate of amount of money necessary, as is provided for in Section 19 of this law.

§ 22. So much property in the school district as from any cause shall escheat to the Commonwealth of Kentucky, shall vest in the board for the use and benefit of the public schools in said district. Said board may, in the name of the Commonwealth, for the use and benefit of the said schools, by its president or other officer to be designated by it, enter upon and take possession of said property, or sue for and recover the same by action at law or in equity, and without office found. The board may sell and convey any of such property by warranty deed or otherwise. The board shall also have authority to accept for the use and benefit of the schools any gift or devise which may be made to said schools.

§ 23. All officers of any city of the fourth class, and of the State, concerned with the assessment and collection of taxes, fines and penalties, shall perform such duties in rela-

tion to the levying and collection of school taxes and the collection of such fines and penalties, and the payment thereof to said board for school purposes, as are now imposed by the existing laws upon such officers in relation to the levy and collection of school taxes and the collection of fines and penalties payable to the school funds; and nothing in this act, unless inconsistent therewith, shall be construed as repealing any existing law providing for the assessment and collection of school taxes in such city; and all powers and duties conferred by existing laws upon any board in relation thereto shall be continued in the board created by this act.

§ 24. The Board of Education shall have power to establish and maintain kindergartens for children from four to six years of age, high schools, night schools for all residents of the city, and normal training classes for the purpose of training teachers to fill positions in the schools of the city, and to this end it may prescribe rules and regulations for the government of such schools and employ the principals and other teachers necessary for their efficient management.

§ 25. The board shall have the power to admit to any school, pupils from beyond the limits of the school district and shall collect for these pupils tuition fees for the benefit of the school fund of the school district. Children or persons residing outside of the limits of the school district shall not be admitted as pupils into any of the public schools except upon payment of such tuition as the board may require as aforesaid.

§ 26. A city of the fourth class and territory added, being deemed one district for taxation purposes, and entitled to its proportion of the public school fund of the Commonwealth, the Board of Education of such city shall make detailed reports annually, and special reports as required, to the State Superintendent of Public Instruction. The board shall also cause a census of the children of school age in such district to be taken during the month of April as required by law and the returns made according to the general school law.

§ 27. The Board of Education shall, at the end of each scholastic year, prepare and publish for the information of

the public, a report which shall include the annual reports made to the board by the superintendent, and secretary, together with such other information as may be proper and necessary to an understanding of the general condition and educational progress of the schools during the preceding year.

§ 28. Any member, officer, or employe of such board who shall willfully violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than five hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the jury.

§ 29. All testimony taken upon any investigation made by the board, or in any proceedings before the board for the removal of any officer or employe of the board, or in any investigation made by any committee of the board, shall be under oath, which oath may be administered by the secretary or any officer authorized to administer oaths.

§ 30. Said board, or any duly constituted committee thereof, shall have the power in any investigation or proceedings before it concerning a matter which may be a proper subject of inquiry by it, to summon witnesses by subpoena and to enforce the compulsory attendance of said witnesses. Should any person so summoned refuse to attend or to produce a paper to be used as evidence in said investigation or proceeding, or, being present, refuse to testify concerning any matter which may be a proper subject of inquiry, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than ten and not more than fifty dollars.

§ 31. Whenever it becomes desirable for a city of the fourth class to extend the boundary for school purposes beyond the city limits, the qualified voters in such territory shall prepare a petition in duplicate, setting forth the names of all parties to be changed, and defining the proposed change in the boundary of the said school district. Said petition shall be signed by a majority of the voters in said territory, and a copy shall be filed with the Board of Education of such city, and also with the county Board of Education of the

county in which said city is located. Upon the approval of said petition by the Board of Education of such city and by the county Board of Education of such county, each board shall make an order on its records book providing for the change, and the change shall become effective at once.

If at any time the boundary of a school district extends beyond the boundary of said city, the Board of Education shall file a copy of the estimate of the amount of money necessary to conduct the schools with the Fiscal Court of the county in which said city is located, and shall estimate the amount of money which may be received from the city and from the territory beyond the limits of said city which is included in the school district, and the Fiscal Court of said county shall make a levy to cover its proportional part of said taxes on the property in said school district which is located outside of the city limits. The rate of taxation by the general council or board of Commissioners and by the Fiscal Court in such school district shall be the same in all cases.

§ 32. The general school laws of this State and all laws and parts of laws applicable to the general system of public schools in cities of the fourth class not inconsistent herewith shall be and remain in full force and effect in such city or district, and all laws in conflict with the provisions of this act are hereby repealed.

§ 33. Whereas, in many fourth class cities in this State coming under the provisions of this act, the present means of revenue are insufficient to maintain the schools upon an efficient basis, as also adequate buildings which cannot be met under the present school law, and that in order that this law may be in force in time to meet these necessities for the present year in the schools in this State, an emergency is hereby declared to exist, and this law shall be and become in full force and effect upon its passage.

Mr. Beckham offered the following amendment to said bill:

Amendment No. 1. Amend House Bill 196 by striking out Section 18 and substituting therefor the following:

"Section 18. The Board of Education shall provide, maintain and support separate schools, and provide for the

education of all colored children who are bona fide residents of said district and entitled to free tuition in the common schools. Said colored schools or children shall be entitled to the same benefits, be governed and controlled by the same rules and regulations, and be subject to the same restrictions as the school herein provided for white children; provided, however, that where any city of the fourth class has heretofore organized a system of free graded schools for the education of both white and colored children of said cities under and by virtue of the charter of cities of the fourth class, and managed and controlled by the Board of Education, and has, by ordinance, passed by its general council, separated said systems of graded free schools into a graded, free, white common school for the white people of said district and into a graded, free, colored common school for the colored people of said district; or where such separate schools have existed under the general laws of the State of Kentucky or special Acts under separate boards, or where the board of council of any district embracing a fourth class city shall, by ordinance, provide for a separate system of schools under this law under different boards said schools shall be governed and controlled—the white schools, by a white Board of Education, and the colored schools, by a colored Board of Education, to be elected on separate ballots as provided under Section 7 of this Act. But where such provision is not made by ordinance of the board of council, or where such separate boards have not heretofore existed, both of said systems of schools shall be under one Board of Education.

"In cities or districts coming under the provisions of this Act, where two boards of education, white and colored, have been maintained, the board of council of the city embraced in such districts may by ordinance abolish one of said boards and by its ordinance provide for one Board of Education, to be elected and qualified as is herein provided and in that event, there shall be but one Board of Education in such district."

Said amendment was adopted.

Mr. Beckham offered the following amendment:

Amendment No. 2. Amend House Bill 196 by adding at the end of Section 19 the following:

"No tax raised from property or poll of any white person in said district shall be used for the support of the colored schools, nor shall any tax raised from the property or poll of a colored person be used for the support of the white schools. The tax collected from corporations shall be apportioned between the said schools in accordance with their census enumeration."

Said amendment was disagreed to.

Mr. Beckham offered the following amendment:

Amendment No. 3. Amend House Bill 196 by striking out the words "two dollars" in line 14, page 13, and inserting in lieu thereof the words "seventy-five cents."

Said amendment was disagreed to.

Mr. Beckham offered the following amendment:

Amendment No. 4. Amend House Bill 196, on page 13, line 26, by striking out the words "one dollar and fifty cents" and inserting in lieu thereof the words "seventy-five cents."

Said amendment was disagreed to.

Mr. Wesley offered the following amendment:

Amendment No. 5. Amend House Bill 196. Amend Section 19, page 13, line 14, by striking out before the word "upon" the words "two dollars" and substituting in lieu thereof the word "one dollar and fifty cents."

Said amend was adopted.

Mr. Lee offered the following amendment:

Amendment No. 6. Section 23 after word fourth read "and fifth."

Said amendment was by unanimous consent withdrawn.

Mr. Thompson offered the following amendment:

Amendment No. 7. Amend Section 19, line 14, by striking out the words "two dollars" and substituting therefor the words "one dollar." Amend same section, line 26, by striking out the words "and fifty cents."

Said amendment was disagreed to.

Mr. Beckham offered the following amendment:

Amendment No. 8. Amend House Bill 196, on page 21, by adding at the end of Section 32 the following words:

"This Act shall not apply to graded or common schools embracing cities of the fourth class, which have been created under a special Act of the General Assembly."

Said amendment was disagreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | R. O. Huntsman | Dr. Lewis Ryans |
| H. H. Barnes | Henry Kaufman | W. P. Scott |
| S. M. Bennett | W. L. Kimbrough | S. G. Smith |
| J. M. Billiter | Hebron Lawrence | R. Lee Stewart |
| Jo F. Bosworth | Joseph Lazarus | Wm. A. Stewart |
| J. F. Carr | Rev. J. A. Lee | T. R. Stultz |
| Charles M. Ciarlo | Elmer Lusby | C. B. Truesdell |
| A. S. Cooper | R. C. Marcum | John L. Trumbo |
| J. S. Cruse | I. S. Mason | Fred C. VanHoose |
| H. N. Dean | A. J. McCandless | Daniel Vose |
| J. B. Denues | R. L. McFarron | G. C. Waggoner |
| J. M. Foster | H. C. McLellen | A. M. Wash |
| Dr. T. H. Gamblin | Mack J. Morgan | J. S. Webb |
| B. J. Geohringer | Estill W. Neel | Gladstone Wesley |
| A. F. Hanberry | T. C. Pryse | R. E. Wilborn |
| Talbert Holliday | J. L. Richardson | V. M. Williamson |
| A. R. Hudson | Sherman Robbins | Dr. W. S. Yazell |
| Adam W. Huff | Lee Rogers | —55 |
| Robt. Humphreys | B. A. Roth | |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | Dr. W. L. Haynes | H. G. Skiles |
| L. H. Ballard | D. J. Howard | H. A. Spillman |
| W. T. Beckham | J. W. Johnson | John T. E. Stites |
| W. M. Boling | Griffin Kelly | Frank L. Strange |
| Rodney G. Bryson | Frank Kennard | John W. Swope |
| W. T. Carner | J. M. Knott | John B. Thomas |
| T. L. Caudel | Dr. S. D. Laughlin | J. Mack Thompson |
| B. L. Cox | John T. Murphy | J. H. Thompson |
| P. A. Day | Chas. A. Nelson | Dr. D. J. Travis |
| H. C. Duffy | T. P. Oliver | J. Wood Vance |
| Dr. W. L. Gossett | B. F. Reynolds | Dr. T. R. Welch |
| A. L. Hamilton | Chas. R. Scott | W. G. Wheeler |
| E. C. Hardin | Dr. B. F. Shields | W. N. Winn |
| | | —39 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Wesley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

On motion of Mr. Bryson it was ordered that the House recess at 1:30 instead of 1:15 P. M.

Mr. Lazarus moved to make House Bill No. 181 a special order for Friday, the 27th, at 11:30 A. M.

Mr. Waggoner moved to amend said motion by taking up said bill for consideration the first thing after the House reconvenes for the afternoon session.

Said amendment was lost.

Then said motion by Mr. Lazarus was adopted, and it was ordered that House Bill No. 181 be made a special order for Friday, February 27, 1920, at 11:00 A. M.

Mr. Pryse moved that the vote by which said bill was made a special order be reconsidered, and that that motion lie on the table.

The House took up from the Orders of the Day, the special order, House Bill 322.

House Bill No. 322. An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture.

Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the governing authority of any political party in this state having a constituted authority for its government and regulation and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this state shall have the power to prescribe the manner and method of nominating its candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

§ 2. If the governing authority of any party embraced within the provisions of this act determines to nominate its candidates for any of said offices by a primary election, then such primary election shall be held under the provisions of the general State Primary Election Law now in force, or that may hereafter be enacted by the General Assembly of the Commonwealth of Kentucky; Provided, however, that the governing authority of such party shall have no power to prescribe a different method of nominating its candidates for any of the following offices, to-wit: Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction and Clerk of Court of Appeals, but the same method shall be prescribed by the said governing authority of such party for the nominations for each of said offices.

§ 3. If the governing authority of any party embraced within the provisions of this act determines to make nominations for any of the offices mentioned in this act by a primary election, then such governing authority shall make such order

at least seventy-five (75) days prior to the date the state primary election is required by law to be held, and its action in ordering such nominations to be made by primary shall be immediately by its proper officers certified to the Secretary of State, and when so ordered and certified to the Secretary of State, such nominations shall be made in the state primary election, as provided by law, and not otherwise.

§ 4. Nothing in this act shall be construed to prevent political organizations and parties not embraced therein from making their nominations for any of the offices mentioned in this act as they are now permitted by law to make same.

§ 5. All laws in conflict with the provisions of this act are hereby repealed.

On motion of Mr. Bryson, ordered that recess be postponed until the matter under consideration is disposed of.

Mr. Lazarus offered amendment No. 1 as follows:

Amendment No. 1. "Section 6. Whereas, under the provisions of this Act the governing authorities of the political parties affected by the same will not have opportunity to give notice required by this Act in event they desire to nominate by primary at the coming August primary, unless this Act become effective at the earliest date possible, an emergency is therefore hereby declared to exist and this Act shall be effective from and after its passage and approval as required by law."

Said amendment was adopted.

Mr. Lazarus moved that the vote by which said amendment was adopted be reconsidered, and that that motion lie on the table.

Said motion was adopted.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | Talbert Holliday | Lee Rogers |
| L. H. Ballard | A. R. Hudson | B. A. Roth |
| H. H. Barnes | Adam W. Huff | Dr. Lewis Ryans |
| S. M. Bennett | R. O. Huntsman | S. G. Smith |
| J. M. Billiter | Henry Kaufman | R. Lee Stewart |
| Jo F. Bosworth | W. L. Kimbrough | Wm. A. Stewart |
| Rodney G. Bryson | Hebron Lawrence | T. R. Stultz |
| W. T. Carner | Joseph Lazarus | C. B. Truesdell |
| J. F. Carr | R. C. Marcum | John L. Trumbo |
| Charles M. Ciarlo | I. S. Mason | Fred C. VanHoose |
| A. S. Cooper | A. J. McCandless | Daniel Vose |
| J. S. Cruse | R. L. McFarron | A. M. Wash |
| H. N. Dean | H. C. McLellen | J. S. Webb |
| J. B. Denues | Mack J. Morgan | Gladstone Wesley |
| J. M. Foster | Estill W. Neel | R. E. Wilborn |
| Dr. T. H. Gamblin | T. C. Pryse | V. M. Williamson |
| B. J. Geohringer | J. L. Richardson | Dr. W. S. Yazell |
| A. F. Hanberry | Sherman Robbins | —53 |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | J. W. Johnson | H. G. Skiles |
| W. T. Beckham | Griffin Kelly | H. A. Spillman |
| W. M. Boling | Frank Kennard | John T. E. Stites |
| T. L. Caudel | J. M. Knott | Frank L. Strange |
| B. L. Cox | Dr. S. D. Laughlin | John W. Swope |
| P. A. Day | Rev. J. A. Lee | John B. Thomas |

| | | |
|---|---|---|
| H. C. Duffy | Elmer Lusby | J. Mack Thompson |
| J. W. Geveden | John T. Murphy | J. H. Thompson |
| Dr. W. L. Gossett | Chas. A. Nelson | Dr. D. J. Travis |
| A. L. Hamilton | T. P. Oliver | J. Wood Vance |
| E. C. Hardin | B. F. Reynolds | Dr. T. R. Welch |
| Dr. W. L. Haynes | Chas. R. Scott | W. G. Wheeler |
| D. J. Howard | W. P. Scott | W. N. Winn |
| Robt. Humphreys | Dr. B. F. Shields | —41 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then at 12:30 P. M. the House took a recess until 1:30 P. M.

## THURSDAY, FEBRUARY 19, 1920.

## AFTERNOON SESSION.

The House reconvened at 1:30 P. M.

The following pair was announced:

Mr. Cruse, who will be absent, with Mr. Kelley on all administration measures that may be voted on from now until the close of the session, Monday, February 23.

The following bills were delivered to the committees to which they had been referred:

House Bills Nos. 420, 429, 435, 413, 412, 400, 415, 392, 399, 434, 423 and the substitute for House Bill No. 175.

Mr. Mason moved to take up for consideration from the Orders of the Day, House Bill No. 80.

Said motion was agreed to.

Mr. Beckham moved to make House Bill No. 236 a special order for tomorrow at 11:00 o'clock A. M.

Said motion was agreed to.

Mr. Smith moved that House Bill No. 131 of the following title be given its first reading and placed in the Calendar.

An Act to amend Section 4238, Kentucky Statutes, relative to tax on law process.

Said motion was agreed to.

Said bill was read at length the first time and ordered to be placed in the Calendar.

Then the House took up for consideration House Bill No. 80, which reads as follows:

House Bill No. 80. An Act to repeal and re-enact Chapter XXII-b, Section 415-b, Kentucky Statutes, Carroll's 1915 Edition, and all amendments thereto.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Chapter XXII-b, Section 415-b, Kentucky Statutes, Carroll's 1915 Edition, and all amendments thereto, be and the same are hereby repealed, and that the following be, and the same is hereby re-enacted in lieu of same, to-wit:

§ 1. That there is hereby created a Department of the Adjutant General's Office to be known as the Confederate

Pension Department, which shall be under the control of the Adjutant General.

§ 2. That the Adjutant General shall have power to decide all questions arising under this act and his decision shall be final, except that any applicant who may not be satisfied with his rulings and decisions may appeal to the State Pension Board created by this act. The Governor, Auditor and Secretary of State shall constitute the State Pension Board. The decisions of said board shall be final in all cases appealed to it.

§ 3. The pension office shall be located in such room or rooms of the State Capitol as may be necessary for its use and designated by the Commissioners of the Sinking Fund.

§ 4. The necessary record books, blanks, stationery, postage stamps, office fixtures and supplies, shall be furnished to this department as like supplies are furnished to the Executive Departments as provided in Section 347, Kentucky Statutes.

§ 5. The Adjutant General shall have power to employ one clerk at a salary not to exceed sixteen hundred ($1,600.00) dollars per annum, who shall perform all duties in connection with this department and such other duties as may be prescribed by the Adjutant General, and his salary shall be paid as the salaries of other departments of the State government are paid out of the general expenditure fund.

§ 6. That any indigent or disabled person who has been an actual bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate Army from the day of his enlistment until the close of the war or until he was honorably discharged as an officer or a private soldier or sailor in the military or naval service of the Confederate States of America in the war of 1861-5, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death shall be paid out of the State Treasury the sum of twelve ($12.00) dollars per month upon the proof of the facts according to forms and regulations prescribed by this act

and conditions prescribed therein; provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or return to the service in the Confederate Army and serve until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

§ 7. That when a person to whom a pension has been granted dies, the amount due the decedent on the date of death shall be paid to an administrator who shall be appointed by the county judge of the county where the pensioner resided at time of death. The administrator shall, before the next succeeding date for payment for pensions, file with the Adjutant General a copy of the order of appointment certified to by the county clerk. The Adjutant General shall in time for the next succeeding day on which pensions are to be paid furnish to said administrator a voucher for the amount due the pensioner at time of death, which shall be filled out and returned to the Adjutant General and filed by him with the Auditor, who shall issue his warrant as other pension warrants are issued payable to said administrator, who shall pay the proceeds thereof to the widow of the deceased soldier or sailor. In case the pensioner left no widow, or was a widow, the administrator shall use the pension money toward defraying the expenses of the last illness and burial of the pensioner; if there shall be any more than necessary to pay these expenses, he shall distribute the same as required by law of other funds belonging to the estate of the deceased.

§ 8. That no claim shall arise by death or otherwise against the State before a pension has been allowed the applicant. That should a pension be granted on the application of a person who had died after the application was filed and

before the pension was granted, no claim shall thereby be created against the State.

§ 9. That no person shall be entitled to the benefits of this act who is able to earn a support by manual labor; or

Who is able to earn a support by reason of his or her knowledge, art, or skill, in any profession, trade or craft; or

Who receives a pension from the United States or any other State or foreign government, or any other source; or

Who removes from this State or is absent therefrom for a period of three months; or

Who possesses property of the value of two thousand five hundred dollars; or

Who possesses an income to the amount of three hundred dollars a year; or an income equivalent to three hundred dollars a year; or who is living with his wife who possesses property in fee simple or a life interest of the value of two thousand five hundred dollars, or an income of three hundred dollars per year; or

Whose support is suitably provided for and secured by reason of a contract or agreement with a person able to provide such support; or

Who by reason of combined partial ability to earn a support and income and property, or any and all of these combined is able to obtain an income equivalent to three hundred dollars a year.

§ 10. The Adjutant General shall prescribe such regulations governing the filing, prosecuting, adjudicating, and payment of pension claims as may be necessary for carrying out the provisions of this act.

§ 11. Applications for pensions shall be made in duplicate under oath, substantially in form as prescribed by the Adjutant General, and shall be attested by two reputable witnesses as to the identity of the applicant. The application shall be filed in the county court of the county where the claimant resides on or before any regular term of said court and lay over until a subsequent regular term when the judge thereof shall hear testimony in open court as to the applicant's citizenship, residence, and means of support. The county attorney shall be present and represent the Commonwealth and may produce evidence concerning any facts rela-

tive to the claim. The judge of said court shall make a finding of facts as shown by the evidence and forward the same with a brief memorandum of the testimony of each witness heard with his name and post office address, together with his own recommendation upon the merits of the claim and a copy of the application to the Adjutant General. The duplicate application shall remain on file in the county clerk's office. The hearing on the application may be continued from time to time upon the motion of the claimant, but shall not be continued more than once over the objection of the claimant.

§ 12. The findings and recommendations of the county judge shall not be final or conclusive upon any of the issues, but the Adjutant General may call upon the applicant for additional evidence covering any facts necessary to support the claim. When the claimant shall have furnished all evidence called for by the Adjutant General or declared his inability to furnish any additional evidence the claim shall then be passed upon by the Adjutant General.

§ 13. Any person who shall willfully and corruptly swear to an application for pension, or who shall make a wilful and false statement, under oath, in support of the application of any person, shall be deemed guilty of perjury, and upon conviction shall be punished as provided by the laws of State for that offense.

§ 14. Upon receipt of an application for pension properly executed the Adjutant General shall cause the claimant's military record to be examined and a report thereon shall be filed with the application.

§ 15. When a pension shall have been allowed the Adjutant General shall issue to the applicant a pension certificate, showing that he, or she, is entitled to a pension at the rate of twelve ($12.00) dollars per month from the first day of August, 1918. Payments shall be made on said certificate quarterly each year; on the 15th day of February, May, August and November, upon the proper execution of a voucher of the pensioner before an officer authorized to administer oaths and having a seal. Voucher shall be furnished to the pensioner by the Adjutant General and returned to him after

being properly executed. The Adjutant General shall then prepare the pension roll for the quarterly payment, with the post office address and the amount due each pensioner, and file the same together with the vouchers with the Auditor. The Auditor shall then issue his warrant upon the Treasurer for the respective sums and the Treasurer shall forward a treasury check to the address of each pensioner. In the event there are not sufficient funds in the hands of the Treasurer to justify the issuing of the pension check thus provided for the Auditor's warrants shall be stamped interest bearing by the Treasurer at the rate of five per cent and mailed to the pensioner.

§ 16. Any person entitled to a pension under the provisions of this act who shall forfeit same by taking up his residence in another state may have same restored to him by making application to the Adjutant General, if he returns to the State in good faith to take up his actual residence in this State.

§ 17. No person shall charge or demand, or receive, more than five dollars for his services as agent or attorney in prosecuting any claim for pension under this act, and any person who shall violate the provisions of this section shall be fined not less than one hundred dollars and not more than three hundred dollars for each offense.

§ 18. No pension granted under this act while due or to become due to a pensioner shall be liable to attachment or levy or seizure by, or under any legal or equitable process whatever, whether same remains with the State or in course of transmission to the pensioner entitled thereto.

§ 19. Once each year every pensioner under this act shall furnish in addition to the usual voucher a certificate from the county judge of the county where he, or she, resides, to the effect that the holder of the pension certificate is the identical person to whom the same was issued, and to the best of his knowledge and belief there has occurred no changes in the financial condition which would render the pensioner ineligible to receive a pension.

§ 20. When, in the opinion of the State Board of Pensions, or the Adjutant General, any pension that may have

been granted, or any claim for pension, should be specially investigated, it shall be the duty of the Adjutant General to make such investigations as may be deemed necessary, and file a report, in writing, of the result thereof with the application. He shall have power to summons and swear witnesses to appear before him and give testimony in the county where the applicant or pensioner lives in making such investigation and shall be paid his actual expenses incurred in making such investigation out of the general expenditure fund of the State.

§ 21. The Adjutant General shall furnish to any Confederate soldier, or widow of Confederate soldier, or attorney for such soldier or widow, of this State, blank applications for pensions upon request for same.

§ 22. No official fee shall be charged by any officer of the State or any county of the State for services in connection with the prosecution or collection of any pension under this act provided that this section shall not apply to notaries public.

§ 23. The Adjutant General shall once each year make and publish a report showing the name, county, and post office address of each person who is receiving a pension under this act and copies thereof shall be furnished to the county judge, county attorney, county clerk, and sheriff of each county in the State.

§ 24. In cases where a pension has been granted, if the Adjutant General or the State Pension Board finds that the pension was wrongfully granted, or that the pensioner has moved out of the State, or in any other way becomes no longer entitled thereto, they shall have authority to drop the said pensioner's name from the pension roll after first giving him, or her, as the case may be, thirty days' notice by registered mail, thus giving the pensioner an opportunity to be heard or present any evidence they may desire to offer as to why his, or her, name shall not be dropped from the pension roll.

§ 25. In any case where a pensioner drawing a pension under this act enters the State Confederate Home he shall not receive any pension for the period he shall remain there, but this section shall not be construed to mean that after a

person has been granted a pension he can spend part of his time in the home and receive the benefits thereof, and a part of his time out of the home and receive the pension, but he must elect to remain permanently as an inmate of the home or permanently out of it.

Mr. Mason offered the following amendment:

Amendment No. 1. Mr. Mason offers the following amendment to House Bill 80, as Section 26.

"The provisions of this bill shall not become effective until the expiration of the present term of the present Commissioner, W. J. Stone, March 18, 1922."

Said amendment was adopted.

Mr. Gossett offered Amendment No. 2 as follows:

Amend House Bill No. 80 by striking out in Section 6, line 8, the following words and figures: "January 1st, 1890" and inserting in lieu thereof the following words: "January 1st, 1895."

Said amendment was disagreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | Adam W. Huff | Dr. Lewis Ryans |
| L. H. Ballard | R. O. Huntsman | Chas. R. Scott |
| H. H. Barnes | Henry Kaufman | W. P. Scott |
| S. M. Bennett | W. L. Kimbrough | S. G. Smith |
| J. M. Billiter | Dr. S. D. Laughlin | R. Lee Stewart |
| Rodney G. Bryson | Hebron Lawrence | Wm. A. Stewart |
| W. T. Carner | Joseph Lazarus | John T. E. Stites |
| J. F. Carr | R. C. Marcum | Frank L. Strange |
| Charles M. Ciarlo | I. S. Mason | T. R. Stultz |
| A. S. Cooper | A. J. McCandless | Dr. D. J. Travis |
| J. S. Cruse | R. L. McFarron | C. B. Truesdell |
| H. N. Dean | H. C. McLellen | John L. Trumbo |
| J. B. Denues | Mack J. Morgan | J. Wood Vance |
| H. C. Duffy | John T. Murphy | Fred C. VanHoose |
| J. M. Foster | Estill W. Neel | Daniel Vose |
| Dr. T. H. Gamblin | Chas. A. Nelson | G. C. Waggoner |
| B. J. Geohringer | T. P. Oliver | A. M. Wash |
| J. W. Geveden | T. C. Pryse | J. S. Webb |
| A. F. Hanberry | J. L. Richardson | Gladstone Wesley |
| Dr. W. L. Haynes | Sherman Robbins | R. E. Wilborn |
| Talbert Holliday | Lee Rogers | V. M. Williamson |
| A. R. Hudson | B. A. Roth | —65 |

Those who voted in the negative were:

| | | |
|---|---|---|
| W. T. Beckham | Griffin Kelly | John B. Thomas |
| W. M. Boling | Frank Kennard | J. Mack Thompson |
| T. L. Caudel | J. M. Knott | J. H. Thompson |
| B. L. Cox | Rev. J. A. Lee | Dr. T. R. Welch |
| P. A. Day | Elmer Lusby | W. G. Wheeler |
| Dr. W. L. Gossett | H. G. Skiles | W. N. Winn |
| D. J. Howard | H. A. Spillman | Dr. W. S. Yazell |
| Robt. Humphreys | John W. Swope | —23 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Mason moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 122. An Act to amend Section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That upon the concurrence of three-fifths of all the members elected to each house of the General Assembly of the Commonwealth of Kentucky, the yeas and nays being taken thereon and entered in full on their respective journals, section 186 of the Constitution of the Commonwealth of Kentucky be, and the same is, amended and revised so that when amended and revised it shall read as follows:

"All funds accruing to the school fund shall be used for the maintenance of the public schools of the state, and for no other purpose, and the General Assembly shall, by general law, prescribe the manner of the distribution and use of the public school fund for public school purposes."

§ 2. This amendment shall be submitted to the voters of the state for their ratification or rejection at the time and in the manner provided for under section 256 of the Constitution of Kentucky, and under Section 1459 of Edition of Kentucky Statutes, compiled and edited by John D. Carroll, and issued in 1915.

Mr. Laughlin offered Amendment No. 1 as follows:

By adding after the word "purposes," in line 9, Section 1, page 2, the following: "Provided however, that not more than ten per cent of said public school fund shall be distributed other than upon the per capita basis."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | A. R. Hudson | B. A. Roth |
| L. H. Ballard | Adam W. Huff | Dr. Lewis Ryans |
| H. H. Barnes | R. O. Huntsman | W. P. Scott |
| S. M. Bennett | Henry Kaufman | S. G. Smith |
| J. M. Billiter | W. L. Kimbrough | R. Lee Stewart |
| W. M. Boling | Dr. S. D. Laughlin | Wm. A. Stewart |
| Rodney G. Bryson | Hebron Lawrence | T. R. Stultz |
| W. T. Carner | Joseph Lazarus | John W. Swope |
| J. F. Carr | Rev. J. A. Lee | Dr. D. J. Travis |
| T. L. Caudel | Elmer Lusby | C. B. Truesdell |
| Charles M. Ciarlo | R. C. Marcum | John L. Trumbo |
| A. S. Cooper | I. S. Mason | Fred C. VanHoose |
| J. S. Cruse | A. J. McCandless | Daniel Vose |
| H. N. Dean | R. L. McFarron | G. C. Waggoner |
| J. B. Denues | H. C. McLellen | A. M. Wash |
| J. M. Foster | Mack J. Morgan | J. S. Webb |
| Dr. T. H. Gamblin | Estill W. Neel | Gladstone Wesley |
| B. J. Geohringer | T. C. Pryse | R. E. Wilborn |
| A. F. Hanberry | J. L. Richardson | V. M. Williamson |
| Dr. W. L. Haynes | Sherman Robbins | Dr. W. S. Yazell |
| Talbert Holliday | Lee Rogers | —62 |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | Frank L. Strange |
| W. T. Beckham | Griffin Kelly | John B. Thomas |
| B. L. Cox | J. M. Knott | J. Mack Thompson |
| P. A. Day | John T. Murphy | J. H. Thompson |
| H. C. Duffy | Chas. A. Nelson | J. Wood Vance |
| J. W. Geveden | T. P. Oliver | Dr. T. R. Welch |
| Dr. W. L. Gossett | Chas. R. Scott | W. N. Winn |
| A. L. Hamilton | H. G. Skiles | —25 |
| D. J. Howard | John T. E. Stites | |

*Resolved,* That the title thereof be as aforesaid.

Mr. Laughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Mason moved to suspend the rules and take up for immediate consideration House Bill No. 116.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 116. An Act entitled: An Act providing for the submission to the voters of the State of Kentucky for their rejection or ratification, amendments to Sections 91, 93 and 95 of the Constitution of the State of Kentucky.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That upon the concurrence of three-fifths of all the members elected to each house of the General Assembly, the yeas and nays being taken thereon and entered in full in their re-

spective journals, that there be submitted to the voters of the Commonwealth of Kentucky for their ratification or rejection, the following amendment to Sections 91, 93 and 95 of the Constitution of the Commonwealth of Kentucky, to-wit:

That Sections 91, 93 and 95 of the Constitution of the Commonwealth of Kentucky be amended by striking out of each of said sections the words "Superintendent of Public Instruction."

So that said sections when amended shall read as follows: Section 91, "A Treasurer, Auditor of Public Accounts, Register of the Land Office, Commissioner of Agriculture, Labor and Statistics, Secretary of State, Attorney General, shall be elected by the qualified voters of the State at the same time the Governor is elected, for the term of four years, each of whom shall be at least thirty years of age at the time of his election, and shall have been a resident citizen of the State at least two years next before his election. The duties of all these officers shall be such as may be prescribed by law, and the Secretary of State shall keep a fair register of and attest all the official acts of the Governor, and shall, when required, lay the same and all papers, minutes and vouchers relative thereto before either House of the General Assembly. The officers named in this section shall enter upon the discharge of their duties the first Monday in January after their election, and shall hold their offices until their successors are qualified."

Section 93. "The Treasurer, Auditor of Public Accounts, Secretary of State, Commissioner of Agriculture, Labor and Statistics, Attorney General and the Register of the Land Office shall be ineligible to re-election for the succeeding four years after the expiration of the term for which they shall have been elected. The duties and responsibilities of these officers shall be prescribed by law, and all fees collected by any of said officers shall be covered into the treasury. Inferior state officers, not specifically provided for in this Constitution, may be appointed or elected, in such manner as may be prescribed by law, for a term not exceeding four years, and until their successors are appointed or elected and qualified."

Section 95. "The election under this Constitution for Governor, Lieutenant-Governor, Treasurer, Auditor of Public Accounts, Register of the Land Office, Attorney-General, Secretary of State, and Commissioner of Agriculture, Labor and Statistics, shall be held on the first Tuesday after the first Monday in November, eighteen hundred and ninety-five, and the same day every four years thereafter."

The foregoing amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky and Section 1459 of the Kentucky Statutes, Carroll's 1915 Edition, and all and any other laws pertinent thereto.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | A. R. Hudson | B. A. Roth |
| L. H. Ballard | Adam W. Huff | Dr. Lewis Ryans |
| H. H. Barnes | R. O. Huntsman | W. P. Scott |
| S. M. Bennett | Henry Kaufman | H. G. Skiles |
| J. M. Billiter | W. L. Kimbrough | S. G. Smith |
| Jo F. Bosworth | J. M. Knott | R. Lee Stewart |
| Rodney G. Bryson | Hebron Lawrence | Wm. A. Stewart |
| W. T. Carner | Joseph Lazarus | T. R. Stultz |
| J. F. Carr | R. C. Marcum | C. B. Truesdell |
| Charles M. Ciarlo | I. S. Mason | John L. Trumbo |
| A. S. Cooper | A. J. McCandless | J. Wood Vance |
| B. L. Cox | R. L. McFarron | Fred C. VanHoose |

| | | |
|---|---|---|
| J. S. Cruse | H. C. McLellen | Daniel Vose |
| H. N. Dean | Mack J. Morgan | G. C. Waggoner |
| J. B. Denues | Estill W. Neel | A. M. Wash |
| J. M. Foster | T. P. Oliver | J. S. Webb |
| Dr. T. H. Gamblin | T. C. Pryse | Gladstone Wesley |
| B. J. Geohringer | J. L. Richardson | R. E. Wilborn |
| A. F. Hanberry | Sherman Robbins | V. M. Williamson |
| Talbert Holliday | Lee Rogers | Dr. W. S. Yazell |

—60

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | H. A. Spillman |
| W. T. Beckham | Griffin Kelly | John T. E. Stites |
| W. M. Boling | Frank Kennard | Frank L. Strange |
| T. L. Caudel | Dr. S. D. Laughlin | John W. Swope |
| P. A. Day | Rev. J. A. Lee | John B. Thomas |
| H. C. Duffy | Elmer Lusby | J. Mack Thompson |
| J. W. Geveden | John T. Murphy | J. H. Thompson |
| Dr. W. L. Gossett | Chas. A. Nelson | Dr. D. J. Travis |
| A. L. Hamilton | B. F. Reynolds | Dr. T. R. Welch |
| Dr. W. L. Haynes | Chas. R. Scott | W. G. Wheeler |
| D. J. Howard | Dr. B. F. Shields | W. N. Winn |

—33

*Resolved,* That the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Waggoner moved to suspend the rules and take up for consideration House Bill No. 302.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 302. An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. "Criminal syndicalism" is hereby defined to be the act of committing, aiding or counseling crime, physical violence, arson, destruction of property, intimidation, terrorism or other unlawful acts or methods, as a means of accomplishing political ends, or as a means of bringing about political revolution.

§ 2. "Sedition" is defined to be the advocacy or suggestion by word, act, deed or writing of public disorder or resistance to the Government of the United States or of the Commonwealth of Kentucky, or of the Constitution or laws of either of them, or of the change or modification of the Government of the United States or of the Commonwealth of Kentucky, or of the Constitution or laws of either of them, by force or violence or by means other than by the lawful means provided by the Constitution and laws of the United States and of the Commonwealth of Kentucky for such purpose.

§ 3. Criminal syndicalism and sedition, as hereby defined, are declared to be unlawful and felonious, and are prohibited, and any person guilty of any or either of said offenses, on conviction shall be confined in the state penitentiary at hard labor for not more than twenty-one (21) years or by a fine of not more than $10,000.00, or both such imprisonment and fine.

§ 4. Any person who, by word of mouth or writing, advises, counsels, advocates, suggests or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sedition, or who shall advise, counsel, advocate, suggest or teach the duty, necessity, propriety or expediency of doing

any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any political ends, change or revolution; or who prints, publishes, edits, issues or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, suggesting or teaching crime, criminal syndicalism, sedition or the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting or bringing about any political ends, or change, or as a means of accomplishing, effecting or bringing about any political revolution, or who shall attempt to justify by word of mouth or writing, the commission or the attempt to commit any act of physical violence, the destruction of or damage to any property, the injury of any person, or the commission of any crime or unlawful act at any time or place, with the intent to exemplify, spread, or teach, or suggest criminal syndicalism or sedition, or organizes, or helps to organize or become a member of, or voluntarily assembles with any society or assemblage of persons which teaches, advocates or suggests the doctrine of criminal syndicalism, or sedition, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any political ends, change or revolution is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the state penintentiary for a term of not more than twenty-one years, or by a fine of not more than $10,000.00, or by both such imprisonment and fine.

§ 5. The owner, lessee, agent, superintendent or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by this act, or who after notification by any peace officer or Commonwealth's Attorney that the place or premises, or any part thereof, is or are so used, permits such use to continue, is guilty of a misdemeanor and punishable upon conviction thereof by impris-

onment in the county jail for not more than one year, or by a fine of not more than $500.00, or by both such imprisonment and fine.

§ 6. Any peace officer who shall have notice or knowledge of any such unlawful assembly in violation of this act shall forthwith disperse the same, using the power of the county and such force as is reasonably necessary for that purpose; and if any such peace officer shall fail or refuse actively to disperse such assembly forthwith, he shall on conviction be fined one thousand dollars, and be imprisoned in the county jail thirty days, shall forfeit his office and be disqualified from holding any public office for a period of five years.

§ 7. It shall be unlawful for any person or persons, individually or collectively, to advocate, advise, counsel, aid or otherwise promote by writing, speaking or otherwise, changing by force, intimidation, violence, rebellion or insurrection the present form of State or Federal government or the laws or Constitutions thereof; or by violence, force or threats to alarm or disturb or intimidate, or attempt to alarm or disturb or intimidate, the General Assembly of the Commonwealth or any branch or member thereof; or by violence, force or threats to alarm, disturb, or hinder or obstruct, or intimidate any officer of the Commonwealth of Kentucky, in the matter of his official action or in the discharge of his duty; or attempt so to do; or by violence, force or threats to resist, obstruct, or hinder any militiaman or military organization or posse acting under the orders of any officer of the Commonwealth of Kentucky, or of the United States; or to advocate, counsel, aid, or advise by speaking or writing, the assassination of any officer or officers of the Commonwealth of Kentucky or of the United States or of any person and any person or persons violating any provisions of this section shall be punished by confinement in the State penitentiary for not more than twenty-one (21) years or by a fine of not more than $10,000 or both such confinement and fine.

§ 8. If the death of any person shall occur in the course of, or by reason of any violation of this act, or be contributed to by such violation, the person or persons so violating this

act shall be guilty of murder and shall be punished by death or by confinement in the State penitentiary for life.

§ 9. It shall be unlawful for any person to print, publish, utter or circulate or to have in his possession for the purpose of publication, uttering or circulating any newspaper, book, circular, picture or other thing which advocates, suggests, counsels or advises forcible resistence to constituted authority or criminal syndicalism, sedition or the assassination of officers or other persons, or the forcible abolition of government, or changing by force or violence or direct action the form of the government, Constitution, or laws of Kentucky or of the United States, and any persons publishing, uttering, circulating, or for such purposes having in their possession any such newspaper, book, circular, picture or other thing, shall be guilty of a felony and upon conviction shall be punished by confinement in the State penitentiary for not more than twenty-one (21) years or by a fine of not more than $10,000, or both such imprisonment and fine and any person or persons who shall rent or furnish any building, land or place or any machinery or printing press for the printing or circulation of any such matter, shall be guilty of a misdemeanor, and shall be fined not more than $1,000 for each offense or imprisonment in the county jail for not more than one year or shall be both so fined and imprisoned.

§ 10. It shall be unlawful for any person or persons, by speech, writing or otherwise, to arouse, incite or fix or attempt to arouse, incite or fix enmity, discord or strife or ill feeling between classes of persons for the purpose of inducing public tumult or disorder or the forcible or violent change or overthrow of the government of the United States, or of the government of the Commonwealth of Kentucky, or for the purpose of inciting resistance to the courts, laws, officers or constituted authorities of the Commonwealth of Kentucky, and it shall be unlawful, for any such purpose, to display in any parade, meeting, assembly or other place any red flag, revolutionary insignia or any banner, flag, placard, tag, sticker, circular, device or picture, and any person taking part in such parade or meeting or violating this section shall be guilty of a felony and on conviction shall be punished by confine-

ment in the State penitentiary for not more than twenty-one years, or by a fine of not more than $10,000 or by both such imprisonment and fine.

§ 11. If any two or more persons shall agree, band, or confederate themselves together to do any of the things prohibited by this act, they shall be guilty of a felony and on conviction shall be punished by confinement in the State penitentiary not more than twenty-one years or by a fine of not more than $10,000 or by both such imprisonment and fine. And in any prosecution under this act it shall not be necessary to prove any overt act on the part of the accused pursuant to any unlawful combination or agreement.

§ 12. Any use of any building or structure or premises by any person or persons in the course of any violation of this act, or for any prohibited meeting or purpose shall constitute a nuisance, and may be abated as other nuisances or may be summarily abated by any peace officer at any time by ejecting all persons therefrom, seizing any incriminating articles therein. and securely closing the place and excluding all persons therefrom until the owner, lessee, agent, tenant or occupant shall give bond with sufficient surety approved by said peace officer in the penal sum of one thousand dollars, payable to the Commonwealth of Kentucky, conditioned that said premises shall not thereafter be used for any unlawful purposes or by any persons convicted under this act. Any use of leased premises in violation of this act shall terminate the lease thereof, at the option of the lessor.

§ 13. In case any section or part of this act shall be held unconstitutional by any court, it is the legislative intention that no other part of this act shall be affected by such holding.

§ 14. In any prosecution under this act, no witness shall be allowed to claim privilege or exemption on the ground that his testimony may incriminate him; but said witness may be required nevertheless to testify for the Commonwealth, but no such testimony given by any such witness shall be used against him in any prosecution except for perjury, and he shall be discharged from any liability for any violation of this act so necessarily disclosed in the testimony. And the pro-

visions of Section 241 Criminal Code shall not apply in any such prosecution.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Adam W. Huff | Chas. R. Scott |
| Sidney Alfrey | R. O. Huntsman | W. P. Scott |
| L. H. Ballard | Henry Kaufman | Dr. B. F. Shields |
| H. H. Barnes | Griffin Kelly | H. G. Skiles |
| W. T. Beckham | Frank Kennard | S. G. Smith |
| S. M. Bennett | W. L. Kimbrough | H. A. Spillman |
| J. M. Billiter | J. M. Knott | R. Lee Stewart |
| W. M. Boling | Dr. S. D. Laughlin | Wm. A. Stewart |
| Rodney G. Bryson | Hebron Lawrence | John T. E. Stites |
| W. T. Carner | Joseph Lazarus | T. R. Stultz |
| J. F. Carr | Rev. J. A. Lee | John W. Swope |
| T. L. Caudel | Elmer Lusby | John B. Thomas |
| Charles M. Ciarlo | R. C. Marcum | J. Mack Thompson |
| A. S. Cooper | I. S. Mason | C. B. Truesdell |
| B. L. Cox | A. J. McCandless | John L. Trumbo |
| J. S. Cruse | R. L. McFarron | J. Wood Vance |
| P. A. Day | H. C. McLellen | Fred C. VanHoose |
| H. C. Duffy | Mack J. Morgan | Daniel Vose |
| J. M. Foster | John T. Murphy | G. C. Waggoner |
| Dr. T. H. Gamblin | Estill W. Neel | A. M. Wash |
| B. J. Geohringer | Chas. A. Nelson | J. S. Webb |
| J. W. Geveden | T. P. Oliver | Dr. T. R. Welch |
| Dr. W. L. Gossett | T. C. Pryse | Gladstone Wesley |

| | | |
|---|---|---|
| A. L. Hamilton | B. F. Reynolds | W. G. Wheeler |
| A. F. Hanberry | J. L. Richardson | R. E. Wilborn |
| Dr. W. L. Haynes | Lee Rogers | W. N. Winn |
| Talbert Holliday | B. A. Roth | Dr. W. S. Yazell |
| D. J. Howard | Dr. Lewis Ryans | —83 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Laughlin moved to go into Committee of the Whole for the purpose of hearing State Superintendent Colvin explain House Bill No. 299.

Said motion was agreed to.

Speaker Bosworth vacated the chair and called upon Hon. A. S. Cooper to preside over the Committee of the Whole.

Superintendent Colvin then explained the purpose of the bill.

Then on motion of Mr. Richardson, the Committee of the Whole arose and the Chairman reported that the committee had heard Superintendent Colvin in regard to the bill but had come to no resolution thereon.

Mr. Reynolds moved to take up for immediate consideration House Bill 299.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 299. An Act to provide physical education and training for all pupils in the common, graded, state

normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

Said bill to read as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The Kentucky State Board of Education shall prescribe a course of study in physical education for all common schools of the State, and shall fix the time when said course shall go into effect. This course shall occupy periods totaling not less than thirty minutes each school day which shall be devoted to instruction in health and safety, to physical exercises and to recess play under proper supervision.

A manual setting out the details of said course of study shall be prepared by the Superintendent of Public Instruction in co-operation with the State Board of Health of Kentucky and such other expert advisers as he may choose.

Said manual when published shall be sent by said Kentucky State Board of Education to the teachers of the common schools in the State of Kentucky.

§ 2. The curriculum of all State Normal Schools of Kentucky and of all other institutions in the State supported wholly or in part by public funds having special courses adopted for the preparation of teachers, shall contain one or more courses in physical education, and after the first day of July, nineteen hundred twenty-one, each person graduating from a teacher's course in any of these institutions shall have completed one or more courses in physical education.

§ 3. County Boards of Education, boards of education of cities and of graded common school districts may employ supervisors and special teachers of physical education in the same manner as other teachers are employed, provided they possess such qualifications as the State Board of Education may prescribe. Boards of education of two or more school districts, city, graded school, or county, may jointly employ a supervisor or special teacher of physical education. Boards of education may allow the use of school buildings and school

grounds after regular school hours and during vacations as community centers for the promotion of play and other healthful forms of recreation, under such rules and regulations as to them seem proper.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Adam W. Huff | Dr. Lewis Ryans |
| Sidney Alfrey | Robt. Humphreys | W. P. Scott |
| L. H. Ballard | R. O. Huntsman | H. G. Skiles |
| H. H. Barnes | Henry Kaufman | S. G. Smith |
| S. M. Bennett | Frank Kennard | R. Lee Stewart |
| J. M. Billiter | W. L. Kimbrough | Wm. A. Stewart |
| W. M. Boling | J. M. Knott | John T. E. Stites |
| Rodney G. Bryson | Dr. S. D. Laughlin | John W. Swope |
| J. F. Carr | Hebron Lawrence | J. H. Thompson |
| T. L. Caudel | Joseph Lazarus | Dr. D. J. Travis |
| Charles M. Ciarlo | Rev. J. A. Lee | C. B. Truesdell |
| A. S. Cooper | Elmer Lusby | John L. Trumbo |
| B. L. Cox | R. C. Marcum | J. Wood Vance |
| J. S. Cruse | I. S. Mason | Fred C. VanHoose |
| P. A. Day | A. J. McCandless | Daniel Vose |
| H. N. Dean | R. L. McFarron | G. C. Waggoner |
| J. B. Denues | Mack J. Morgan | A. M. Wash |
| J. M. Foster | Estill W. Neel | J. S. Webb |
| Dr. T. H. Gamblin | Chas. A. Nelson | Dr. T. R. Welch |
| B. J. Geohringer | T. P. Oliver | Gladstone Wesley |
| Dr. W. L. Gossett | T. C. Pryse | W. G. Wheeler |

| | | |
|---|---|---|
| A. F. Hanberry | B. F. Reynolds | R. E. Wilborn |
| Dr. W. L. Haynes | J. L. Richardson | V. M. Williamson |
| Talbert Holliday | Sherman Robbins | W. N. Winn |
| D. J. Howard | Lee Rogers | Dr. W. S. Yazell |
| A. R. Hudson | B. A. Roth | —77 |

Those who voted in the negative were:

H. C. Duffy —1

*Resolved,* That the title thereof be as aforesaid.

Mr. Reynolds moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Richardson moved to make House Bill No. 26 a special order for Monday, March 1, at 2:00 P. M.

Said motion was agreed to.

Mr. Richardson then moved that the vote by which said bill was made a special order be reconsidered, and that that motion lie on the table.

Said motion was adopted.

Mr. Hamilton moved to make House Resolution No. 116 a special order for Thursday, February 26, at 11:00 A. M.

Said motion was agreed to.

Mr. Wash moved to take up for consideration House Bill No. 44.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 44. An Act to empower the several counties of this Commonwealth to acquire, own and operate ferries across navigable streams and to condemn land and existing ferry franchises for that purpose.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The several counties in this state shall have power to acquire, own and operate ferries across navigable streams in this Commonwealth, and may, in the exercise of such power, when deemed expedient by the fiscal court of such county, purchase any existing ferry franchise, equipment and sufficient land on each side of such stream as may be necessary for the operation of such ferry, together with the right of way to the ferry landings, and may cause a writ of *ad quad damnum* to issue to ascertain the damage to the owners of land in establishing the necessary right of way to and in obtaining the necessary land on the banks of such stream for landing purposes, and may condemn and acquire any existing franchise, equipment and right of way within such county, and where such navigable stream is the boundary between two counties, such counties may together acquire or establish such ferry and own and operate same together.

§ 2. When such county shall determine through its fiscal court to purchase any existing ferry franchise, landings, right of way thereto and equipment, and such fiscal court and the owner of such ferry franchise, right of way and equipment cannot agree upon the amount to be paid therefore, then such county, by its county attorney, shall give to the owner of such ferry franchise ten days' notice, in writing, that it will, at the next term of the county court, held in and for said county, move said court to appoint commissioners to appraise said property and fix the value thereof, including such ferry franchise. When such notice is filed in said court, said court shall appoint three commissioners, who shall be discreet disin-

terested citizens of such county to appraise such property and fix the value thereof. Said commissioners, before entering upon their duties, shall take an oath to faithfully and impartially perform the duties incumbent upon them. Said commissioners shall examine and appraise such equipment, ascertain its value and the value of such franchise and shall report to the court in writing their finding as to the value of each item of equipment and such franchise. Said report shall lie over until the next regular term of said court for exceptions, and if none be taken the same shall be confirmed. But if either the owner or the county file exceptions to said report, the court shall hear such exceptions and adjudge the value of such equipment and franchise and if such amount is paid by the county the franchise, equipment, right of way and other property embraced in the report of said commissioners shall thereupon become the property of such county, and the former owner thereof shall be dispossessed thereof, and the court may enforce its order by proper writ. But from such judgment fixing the value of such property both the owner and such county shall have the right of appeal to the circuit court and to the Court of Appeals, as provided in other civil cases.

§ 3. Any county owning such ferry across such navigable stream shall hire a ferryman to operate same for such period as its fiscal court may determine not to exceed four years, or it may let by contract to the lowest responsible bidder the operation of such ferry for said period after advertising the terms and conditions upon which same will be let by written or printed handbills posted at the court house door in said county, and at two public places in the vicinity of said ferry for ten consecutive days preceding the day such contract will be let. Such ferryman or contractor shall enter into a bond to such county in the penal sum of two thousand dollars for the faithful performance of his contract to keep and operate said ferry according to law and to pay all damages that any one may sustain by reason of his failure to do so, or by reason of any neglect or misconduct of those managing the ferry. Said bond to be signed by two sureties and approved by the judge of the county court of such county. But such county shall furnish and keep the ferry equipment in repair.

§ 4. The fiscal court of any county operating a ferry shall fix the rate of toll to be charged for the transportation of passengers, vehicles, cattle and freight at such ferry. Such rates of toll may be made to apply only to the transient travel, or to all travel and transportation as such fiscal court shall determine, and such county shall have power to operate such ferry free of all toll to the public, or free of toll only to the citizens of such county.

§ 5. Where a toll is charged at such ferry operated by any county, the ferryman operating same for the county, shall, at the end of every calendar month, make a report to the clerk of the county court of such county showing the amount of toll collected each day at such ferry, the expenses incurred, if any, which should be paid by such county and pay the amount due such county to its sheriff or treasurer, taking receipt therefor and same shall be converted into the general revenues of the county.

Dr. Yazell offered the following amendment:

Amendment No. 1. Section 1, line 2, after the word "Commonwealth," add "not forming a part of the boundary thereof."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Henry Kaufman | W. P. Scott |
| Sidney Alfrey | Griffin Kelly | Dr. B. F. Shields |
| L. H. Ballard | Frank Kennard | H. G. Skiles |
| S. M. Bennett | W. L. Kimbrough | S. G. Smith |
| J. M. Billiter | J. M. Knott | H. A. Spillman |
| W. M. Boling | Dr. S. D. Laughlin | R. Lee Stewart |
| Rodney G. Bryson | Hebron Lawrence | Wm. A. Stewart |
| W. T. Carner | Joseph Lazarus | Frank L. Strange |
| J. F. Carr | R. C. Marcum | T. R. Stultz |
| T. L. Caudel | I. S. Mason | John W. Swope |
| A. S. Cooper | A. J. McCandless | C. B. Truesdell |
| J. S. Cruse | R. L. McFarron | John L. Trumbo |
| P. A. Day | Mack J. Morgan | J. Wood Vance |
| H. N. Dean | John T. Murphy | Fred C. VanHoose |
| J. B. Denues | Estill W. Neel | Daniel Vose |
| J. M. Foster | Chas. A. Nelson | A. M. Wash |
| Dr. T. H. Gamblin | T. P. Oliver | J. S. Webb |
| B. J. Geohringer | T. C. Pryse | Gladstone Wesley |
| J. W. Geveden | B. F. Reynolds | W. G. Wheeler |
| A. F. Hanberry | J. L. Richardson | R. E. Wilborn |
| Dr. W. L. Haynes | Sherman Robbins | V. M. Williamson |
| A. R. Hudson | Lee Rogers | W. N. Winn |
| Adam W. Huff | B. A. Roth | Dr. W. S. Yazell |
| R. O. Huntsman | Dr. Lewis Ryans | —71 |

Those who voted in the negative were:

| | | |
|---|---|---|
| B. L. Cox | Chas. R. Scott | J. H. Thompson |
| A. L. Hamilton | J. Mack Thompson | —5 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus moved that House Bill No. 139 be made a special order for Wednesday, February 25, at 11:00 A. M.

Said motion was agreed to.

Then Mr. Lazarus moved that the vote by which said bill was made a special order be reconsidered, and that that motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed Senate Resolution No. 10, which reads as follows:

A resolution authorizing M. M. Logan to sue the Commonwealth of Kentucky for the value of legal services rendered in a suit instituted by V. O. Gilbert, Superintendent of Public Instruction to determine whether the school fund was entitled to a part of the inheritance tax.

Whereas, the Honorable R. L. Green, Auditor of Public Accounts, construed the inheritance tax laws to mean that the public school fund was not entitled to any part thereof collected by the State of Kentucky; and

Whereas, the then Attorney General, Honorable Charles H. Morris, advised the Auditor of Public Accounts that the school fund was not entitled to any part of the said inheritance tax; and

Whereas, the Superintendent of Public Instruction had no one to represent his department, and the school teachers throughout the State, in determining the question; and

Whereas, the said Gilbert employed M. M. Logan to represent his department, and the school teachers throughout the State, in said litigation and agreed to pay him for said services out of the sum recovered for the school fund, if he had authority so to do; and

Whereas, the said Logan and Gilbert came to the conclusion that the contract made by the said Gilbert with the said

Logan would not be sufficient authority for the payment of compensation to said Logan; and

Whereas, the said Logan represented the Department of Education, and the school teachers throughout the State, in the said litigation in the Franklin Circuit Court where said case was decided against the Department of Education and the teachers; and

Whereas, said case was appealed to the Court of Appeals where said Logan still continued to represent said parties and where it was decided that the school fund was entitled to share in the inheritance tax thereby making immediately available almost $500,000.00, of which said school fund had been deprived, and entitling the said fund to share in the inheritance tax which might be collected in the future; and

Whereas, the said Logan has not been paid anything for his services, and believing he is justly entitled to a reasonable compensation to be determined from the facts, now therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the said M. M. Logan is hereby authorized and permitted to institute a suit against the Commonwealth of Kentucky in the Franklin Circuit Court under the style of M. M. Logan, plaintiff, vs. John J. Craig, Auditor of Public Accounts, defendant, in order that said court may determine and allow, after a consideration of the proof as to the value of said services, a reasonable fee to said Logan for his services in the above mentioned litigation, and when said judgment becomes final, the Auditor of Public Accounts is directed to issue to said M. M. Logan his warrant upon the school fund of the State for the sum of said judgment and the Treasurer is directed to pay said warrant out of the school fund.

§ 2. Either party may appeal from the judgment from the Franklin Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

§ 3. Nothing in this resolution shall be construed to render legal or binding, any alleged contract or agreement

with said M. M. Logan made by any officer of the Commonwealth of Kentucky which without this resolution would be illegal and void, or render conclusive on the court any statement of fact made herein, but the court may consider all the conditions and circumstances and if it shall appear that there was a necessity for such legal services and that the Department of Education could not have procured such legal services from the legal department of the State, then the court may award to the said M. M. Logan such a sum as they determine to be reasonable compensation for such services.

Provided that all of the costs of this action shall be paid to the clerk of the Franklin Circuit Court out of the amount awarded to the said M. M. Logan, and provided, further, that any amount so awarded to M. M. Logan in any such suit shall not exceed five thousand dollars.

Also that the Senate had passed Senate Resolution No. 16, which reads as follows:

Joint resolution for the benefit of Alex Waits, janitor of the Senate.

Whereas, Alex Waits, janitor of the Senate, has been designated by the Senate to act also as bill clerk of the Senate; and

Whereas, the duties of janitor of the Senate are prescribed in Section 1989 of the Kentucky Statutes, and are limited to keeping the Senate chamber in a cleanly condition; and

Whereas, the work of the bill clerk is arduous, and exacting, and extra compensation should be paid him for his services as such.

*Therefore be it resolved by the Senate, the House of Representatives concurring herein*:

That the said Alex Waits be allowed the sum of $3.00 per day in addition to what he receives for his services as bill clerk, the same to be paid by the Treasurer, on warrants drawn on him by the Auditor of Public Accounts, out of any funds in his hands not otherwise appropriated.

Mr. Lazarus moved to suspend the rules and place Senate Resolution No. 16 upon its passage.

Said motion was adopted.

Said resolution was read at length.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | Rev. J. A. Lee | R. Lee Stewart |
| H. H. Barnes | Elmer Lusby | John T. E. Stites |
| J. M. Billiter | R. C. Marcum | Frank L. Strange |
| Rodney G. Bryson | I. S. Mason | T. R. Stultz |
| W. T. Carner | A. J. McCandless | John W. Swope |
| T. L. Caudel | R. L. McFarron | John B. Thomas |
| A. S. Cooper | Mack J. Morgan | Dr. D. J. Travis |
| B. L. Cox | John T. Murphy | C. B. Truesdell |
| J. M. Foster | Estill W. Neel | John L. Trumbo |
| Dr. W. L. Gossett | T. P. Oliver | J. Wood Vance |
| A. F. Hanberry | T. C. Pryse | Fred C. VanHoose |
| Dr. W. L. Haynes | B. F. Reynolds | Daniel Vose |
| Talbert Holliday | J. L. Richardson | G. C. Waggoner |
| A. R. Hudson | Sherman Robbins | A. M. Wash |
| Adam W. Huff | Lee Rogers | J. S. Webb |
| Henry Kaufman | B. A. Roth | Gladstone Wesley |
| Griffin Kelly | W. P. Scott | W. G. Wheeler |
| Frank Kennard | Dr. B. F. Shields | R. E. Wilborn |
| Dr. S. D. Laughlin | H. G. Skiles | W. N. Winn |
| Hebron Lawrence | S. G. Smith | Dr. W. S. Yazell |
| Joseph Lazarus | H. A. Spillman | —62 |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | J. M. Knott | Dr. T. R. Welch |
| W. M. Boling | Chas. A. Nelson | —7 |
| J. F. Carr | J. Mack Thompson | |

So said resolution was concurred in.

Mr. Wash moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Dr. Travis moved to suspend the rules and take up House Bill So. 313 for immediate consideration.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 313. An Act to amend and re-enact Section 18, Chapter I, Acts of 1917, which is now Section 4114-i-18, Kentucky Statutes, relating to the duties of the State Tax Commission, and providing for a review of its acts by the courts.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 18, Chapter I, of the Acts of 1917, which is now Section 4114-i-18, Kentucky Statutes, be amended and re-enacted so that it will read as follows:

Equalization shall be accomplished by directing that the county board of supervisors in revising the assessed value of all property or of any class of property in any county shall make the total assessed value of all property or of each of said classes of property amount to a given sum.

When the final action of the State Tax Commission has been certified to the county clerk to be laid before the county board of supervisors, the fiscal court of the county in a regular or special session may direct that the action of the State Tax Commission be submitted to the courts for review and

correction, in the event the fiscal court is of the opinion that the direction of the State Tax Commission is unfair and unjust to the taxpayers of the county.

§ 2. If the fiscal court deems it proper to ask for a review of the actions of the State Tax Commission, it shall pass a resolution to that effect, a copy of which shall be forwarded to the State Tax Commission within ten days after the final certification has been placed in the hands of the county clerk. Within ten days from the date the final certification was placed in the hands of the county clerk, the fiscal court of the county, through the county attorney, may prepare a statement showing in detail wherein the action of the State Tax Commission is unfair or unjust to the county, and file same in the office of the circuit court clerk of Franklin county. A copy of said statement shall at the same time be filed with the State Tax Commission. Within fifteen days thereafter the State Tax Commission, through the attorney general, may file an answer to said statement. Within fifteen days after the answer is filed, the county shall prepare and file its proof in support of its contentions, which may be by affidavits or depositions and within fifteen days after the county has filed its proof, the State Tax Commission shall prepare and file proof in support of its position, which may be by affidavits or by depositions. When the proof is thus filed, the circuit court clerk shall forthwith place in the hands of the judge of the Franklin circuit court all papers and proofs and the judge shall hear and render judgment in the controversy within ten days after the papers are placed in his hands which judgment shall be returned by him to the circuit court clerk, who shall enter same as the judgment in said controversy and it shall have the same effect as a judgment duly entered at a regular term and shall be binding on all parties, and conclusive of the controversy unless an appeal is taken as herein provided.

§ 3. If either party to the controversy be dissatisfied with the judgment rendered such party may take an appeal to the Court of Appeals within ten days thereafter. The circuit court clerk shall not be required to copy the record but shall transmit to the clerk of the Court of Appeals, the original record with a certification that it is the complete record.

Said appeal shall be immediately placed upon the docket of the Court of Appeals and shall take precedence over other cases in said court. The appellant shall file its brief within ten days after said case is placed upon the docket, and the appellee shall file its brief within ten days thereafter, and said case shall be submitted upon the filing of the brief of the appellee.

§ 4. If the judgment of the circuit judge uphold the action of the State Tax Commission, the board of supervisors shall proceed in accordance with the directions previously certified, but if the judgment modifies the said certification, the State Tax Commission shall make a new certification in accordance with the judgment in the controversy. If, however, an appeal is taken from the judgment of the circuit court, all proceedings shall be suspended until the matter is determined by the Court of Appeals. If the action of the State Tax Commission is upheld by the Court of Appeals, the board of supervisors shall proceed in accordance with the original certification; but if the action of the State Tax Commission is modified by the decision of the Court of Appeals, the new certification shall be made in conformity to the decision. No petition for a re-hearing shall be filed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Henry Kaufman | H. G. Skiles |
| Sidney Alfrey | Frank Kennard | S. G. Smith |
| L. H. Ballard | W. L. Kimbrough | R. Lee Stewart |

| | | |
|---|---|---|
| S. M. Bennett | J. M. Knott | Wm. A. Stewart |
| W. M. Boling | Hebron Lawrence | John T. E. Stites |
| Rodney G. Bryson | Rev. J. A. Lee | T. R. Stultz |
| W. T. Carner | R. C. Marcum | John W. Swope |
| J. F. Carr | I. S. Mason | John B. Thomas |
| T. L. Caudel | A. J. McCandless | J. Mack Thompson |
| A. S. Cooper | R. L. McFarron | C. B. Truesdell |
| J. S. Cruse | H. C. McLellen | John L. Trumbo |
| P. A. Day | Mack J. Morgan | J. Wood Vance |
| H. N. Dean | John T. Murphy | Fred C. VanHoose |
| J. M. Foster | Estill W. Neel | Daniel Vose |
| Dr. T. H. Gamblin | Chas. A. Nelson | G. C. Waggoner |
| J. W. Geveden | T. P. Oliver | A. M. Wash |
| Dr. W. L. Gossett | T. C. Pryse | J. S. Webb |
| A. F. Hanberry | B. F. Reynolds | Gladstone Wesley |
| Dr. W. L. Haynes | J. L. Richardson | W. G. Wheeler |
| Talbert Holliday | Lee Rogers | R. E. Wilborn |
| A. R. Hudson | B. A. Roth | V. M. Williamson |
| Adam W. Huff | Dr. Lewis Ryans | W. N. Winn |
| Robt. Humphreys | W. P. Scott | Dr. W. S. Yazell |
| R. O. Huntsman | Dr. B. F. Shields | —72 |

*Resolved,* That the title thereof be as aforesaid.

Dr. Travis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Dr. Travis moved to take up House Bill No. 312 and place upon its passage.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 312. An Act providing for the supervision and equalization of the assessment of property in a county in

cases where a county or any part thereof is re-assessed under the directions of the State Tax Commission.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. When the State Tax Commission directs a re-assessment and equalization of all or any of the property in any county as provided in Section 4128-a-3, Kentucky Statutes, the county clerk shall make out a recapitulation of the re-assessment and forward same to the State Tax Commission within ten days after it is completed by the State Tax Commission or under its directions. The State Tax Commission shall pass upon the re-assessment in the same way that it passes upon original assessments and shall make certification to the county clerk directing the county board of supervisors. The county judge shall immediately thereafter appoint a county board of supervisors and it shall meet and supervise and equalize the assessments in the same way that it is required to supervise and equalize original assessments and after its work has been completed and duly certified by the county clerk, that officer shall make a final recapitulation to the State Tax Commission and the law governing the original assessment of property in the county shall apply to any re-assessment with the modifications herein set out.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Frank Kennard | Dr. B. F. Shields |
| Sidney Alfrey | W. L. Kimbrough | H. G. Skiles |
| L. H. Ballard | J. M. Knott | S. G. Smith |
| H. H. Barnes | Dr. S. D. Laughlin | Wm. A. Stewart |
| S. M. Bennett | Hebron Lawrence | John T. E. Stites |
| W. T. Carner | Joseph Lazarus | John W. Swope |
| J. F. Carr | Rev. J. A. Lee | Dr. D. J. Travis |
| T. L. Caudel | R. C. Marcum | C. B. Truesdell |
| Charles M. Ciarlo | I. S. Mason | John L. Trumbo |
| P. A. Day | A. J. McCandless | J. Wood Vance |
| H. N. Dean | Mack J. Morgan | Fred C. VanHoose |
| J. W. Geveden | Jonn T. Murphy | Daniel Vose |
| Dr. W. L. Gossett | Estill W. Neel | G. C. Waggoner |
| A. L. Hamilton | T. C. Pryse | A. M. Wash |
| A. F. Hanberry | B. F. Reynolds | J. S. Webb |
| Dr. W. L. Haynes | J. L. Richardson | Gladstone Wesley |
| Talbert Holliday | Sherman Robbins | W. G. Wheeler |
| A. R. Hudson | Lee Rogers | R. E. Wilborn |
| Robt. Humphreys | B. A. Roth | W. N. Winn |
| Henry Kaufman | W. P. Scott | Dr. W. S. Yazell |

—60

*Resolved,* That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

House Bill 97. An Act to promote safety to the traveling public in this Commonwealth and to provide a penalty for a violation of same.

House Resolution No. 22, entitled: Resolution in regard to U. S. Public Health Service.

Whereupon all other business was suspended, said bill and resolution were read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill and resolution.

Ordered, that the Enrolling Clerk deliver said bill and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill and resolution which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill and resolution which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Lawrence moved that the House do now adjourn.

Said motion was adopted.

Then the House at 4:47 P. M. adjourned.

FRIDAY, FEBRUARY 20, 1920.

The House was called to order by the Speaker at 10:00 A. M.

The House was opened with prayer by Rev. Roger T. Nooe, of the Christian Church.

The roll call to ascertain the presence of a quorum resulted as follows:

Lon Adams
Sidney Alfrey
L. H. Ballard
H. H. Barnes
W. T. Beckham
S. M. Bennett
J. M. Billiter
W. M. Boling
Jo F. Bosworth
Rodney G. Bryson
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
H. C. Duffy
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
G. C. Waggoner
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley

| | | |
|---|---|---|
| A. F. Hanberry | B. F. Reynolds | W. G. Wheeler |
| E. C. Hardin | J. L. Richardson | R. E. Wilborn |
| Dr. W. L. Haynes | Sherman Robbins | V. M. Williamson |
| Talbert Holliday | Lee Rogers | W. N. Winn |
| D. J. Howard | B. A. Roth | Dr. W. S. Yazell |

Present....93

On motion of Mr. Lazarus the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. Lee moved to suspend the rules and take up House Bill No. 181 and place it upon its passage.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 181 of the following title:

House Bill No. 181. An Act to prohibit the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky and to regulate the manufacture and sale of alcohol for non-beverage purposes thereunder.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That it shall be unlawful to manufacture, sell or transport spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky.

§ 2. On the first conviction for a violation of any provision of this act, except for the violation of a provision for which a particular penalty is herein provided, the defendant or defendants shall be fined not less than $50.00 nor more than $300.00 and if persons, shall, in addition, be imprisoned in

the County jail for not less than thirty, nor more than sixty days.

Upon a second conviction for a violation of any provisions of this act, the defendant or defendants, if persons, shall be confined in the penitentiary for not less than one year, nor more than three years, and for the third and each subsequent conviction, the person or persons shall be imprisoned in the penitentiary not less than five, nor more than ten years. If the defendant be a corporation, for the second offense, a fine shall be inflicted of not less than $1,000.00 or more than $5,000.00 and for the third and each succeeding offense, a fine shall be inflicted in the discretion of the jury, but not less than $5,000.00.

§ 3. Any physician or druggist violating the provisions of this act shall, in addition to the penalties herein denounced, upon conviction, forfeit his license to practice medicine in the Commonwealth of Kentucky or to sell drugs in the Commonwealth of Kentucky for one year next after the conviction and the judgment of conviction shall so order.

§ 4. Every person knowingly aiding, assisting or abetting any person, firm or corporation in the violation of this act, shall be deemed a principal and punished as such.

§ 5. In the trial of any issue arising under this act, the burden of proof shall be upon the defendant to show that the manufacture, sale or transportation of the liquor in question was within the exception provided in the first section of this act.

§ 6. No witness in a trial for a violation of this act shall be permitted to refuse to answer any question because the answer will tend to incriminate himself, but his evidence shall not be used against him in any subsequent proceeding.

§ 7. All spirituous, vinous or malt liquor not being within the exceptions of this act, and which contain one-half of one per centum or more of alcohol by volume shall be construed as falling within the inhibition of this act.

§ 8. All persons who are convicted under this act and receive a fine or jail sentence as punishment shall serve out the judgment at hard labor at the rate of One Dollar per day of the fine or jail sentence.

§ 9. No trick, device, subterfuge or pretense shall be allowed to evade the operation or defeat the policy of this law.

§ 10. Every house, building, or other structure, together with the lot of land upon which it is situated, and every car, truck, wagon or other vehicle, together with any or all animals used in propelling or hauling same, knowingly used by the owner to violate any provision of this law, shall be forfeited to the Commonwealth of Kentucky. The forfeiture shall be had or enforced in any court of the Commonwealth having jurisdiction of the subject matter, and the procedure shall be regulated by the general laws of forfeiture and escheat.

Any person, firm or corporation, knowingly or intentionally renting, hiring, letting or lending any house, building or other structure or premises, or any car, truck, wagon or other vehicle, or the animal or animals used in hauling or propelling of same, to another or others, for the purpose of violating any provision of this act, shall be considered guilty of a violation of this act and the property so used shall be forfeited as if the unlawful act had been committed by him or them in person.

§ 11. Any citizen of Kentucky shall have the right to institute actions to have the forfeiture herein provided for, adjudged and enforced, and is hereby empowered to prosecute such actions in the name of the Commonwealth of Kentucky. Before instituting any such action however, any such citizen shall execute bond with approved surety before the Clerk of the Court in which such proceeding shall be filed, providing for the payment of all costs to be incurred therein, in the event the action is dismissed.

All property adjudged forfeited under this act shall be sold by order of the Court, the time, terms and manner of sale to be fixed by the Court. The proceeds of sale shall first be applied to the payment of the costs of the action, the person instituting the proceeding shall be paid twenty per centum of the remainder and the balance shall be paid to the Treasurer of Kentucky and credited to the General Expenditure Fund.

§ 12. All persons manufacturing any spirituous, vinous, malt or intoxicating liquors, containing one half of one per centum or more of alcohol by volume, shall file in the office

of the County Court Clerk of the County in which such liquors are made, a sworn statement, showing the amount, kind and quality of the liquor so manufactured and its location, and if any has been sold, the amount sold, the name and address of the persons to whom it has been sold. If none has been sold the report shall so state. This report shall be made and filed on the first day of July and the thirty-first day of December of each year. Such persons so manufacturing such liquors shall keep a record showing the amount, kind and quality of such liquors, the amount sold, the name and address of the persons to whom any such liquors are sold, and the date of all such sales, which record shall be open to the inspection of the County Attorney of the County and the Commonwealth's Attorney of the district in which such liquors are manufactured, at all business hours of any day.

§ 13. All persons, other than manufacturers, who sell any spirituous, vinous, malt or intoxicating liquors, containing one-half of one per centum or more of alcohol by volume, shall keep a record, showing the amount, kind and quality of such liquors, and the amount and name and address of the persons to whom any such liquor shall be sold, and the dates of all such sales, which record shall be open to the inspection of the County Attorney of the County and the Commonwealth's Attorney of the District in which such liquors are sold, at all business hours of any day.

All such persons, other than manufacturers, who sell any such liquors, shall file in the office of the County Court Clerk of the County in which such liquors are sold, a sworn statement, showing the amount, kind and quality of the liquors so sold, and the amount and name and address of the persons to whom it has been sold. If none has been sold, the report shall so state; such reports shall be made and filed on March 31, June 30, September 30 and December 31 of each year.

A filing fee of Twenty-five Dollars shall be paid by all persons other than manufacturers who sell any such liquors, to the County Court Clerk, at the time of the filing of each report, which shall be covered into the State Treasury by the Clerk.

A filing fee of one hundred dollars shall be paid by such manufacturers of such liquors to the County Court Clerk, at

the time of the filing of each report, which shall be covered into the State Treasury by the Clerk.

It shall be the duty of every person who proposes to manufacture or sell any liquors herein defined, before he shall manufacture or sell any such liquors, to file with the County Court Clerk of the County wherein he proposes to manufacture or sell such liquors, his sworn declaration of intention so to do, which shall contain the following information.

His intention to manufacture or sell such liquors and the kind thereof. The particular place where such liquors are to be manufactured or sold.

If any person shall manufacture or sell any such liquors before the filing of his declaration of intention so to do, with the County Court Clerk, he shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars or imprisoned in the county jail not less than six months nor more than one year or both so fined and imprisoned in the discretion of the jury, and every day on which he shall manufacture or sell any such liquors, shall be deemed a separate offense.

§ 14. No sale of such liquors as defined herein, shall be made by any person upon or because of any physician's prescription, unless such certificate shall state the name and address of the patient, the amount required, that the physician is in personal attendance on said patient, the ailment of the patient and the name and address of the physician who prescribes the liquor, and that the alcoholic preparation prescribed is necessary in the proper treatment of said ailment in said patient. Before any such liquors shall be delivered, it shall be so harmlessly medicated as will render it unfit for beverage purposes. All such prescriptions shall be filed and kept by the person making such sale for two years after the date of the sale. which prescription shall be subject to inspection at any business hour of the day by the County Attorney of the County and the Commonwealth's Attorney of the district in which such liquors are sold.

No prescription shall provide for more than one pint of such liquors, nor shall any person sell more than one pint of such liquors upon any physician's prescription, to any person at any time, nor at less intervals than ten days. If any per-

son shall procure any such liquors upon such prescriptions at less intervals than ten days, he shall be fined not less than Fifty Dollars, nor more than One Hundred Dollars or imprisoned in the County Jail for not less than ten days nor more than sixty days or both so fined and imprisoned in the discretion of the jury.

Any person who shall forge a physician's prescription or attempt to use such prescription in obtaining liquors from any person authorized to sell such liquors, or other persons, shall be punished by confinement in the County Jail, not less than sixty (60) days nor more than one year for such offense.

No patent or proprietary medicine or medicines containing more than one-half of one per centum by volume of alcohol shall be sold in this Commonwealth, except upon the prescription of a physician which shall be filled by a regular druggist under the provisions and regulations of this act.

No lemon or other flavoring extracts containing more than one-half per centum by volume of alcohol shall be manufactured, transported or sold in this Commonwealth.

§ 15. It shall be the duty of the Auditor to prepare, by and with the advice of the Attorney General, all blanks and forms provided for hereunder. Upon application, he shall furnish any person with a sufficient quantity of the same.

§ 16. For each manufacturer's report filed, the County Court Clerk shall receive a fee of One Dollar.

For each report filed by any person other than a manufacturer, the County Court Clerk shall receive a fee of fifty cents.

For each declaration of intention to either manufacture or sell, filed by any person, the County Court Clerk shall receive a fee of One Dollar.

All such fees shall be paid by the person filing the reports and intentions.

§ 17. If any section, paragraph, or part of this act shall be held to be unconstitutional by the Court of Appeals of Kentucky, the remainder of this act shall continue effective and enforcible notwithstanding such decision.

§ 18. This act shall take effect on and after July 1, 1920.

The committee offered the following substitute:

Substitute House Bill No. 181. An Act to prohibit and provide penalties for the manufacture, sale, transportation or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky, and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That it shall be unlawful to manufacture, sell, barter, give away, or keep for sale, or transport, spirituous, vinous, malt or intoxicating liquors, except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky.

§ 2. On the first conviction for a violation of any provision of this act, except for the violation of a provision for which a particular penalty is herein provided, the defendant or defendants shall be fined not less than $50.00 nor more than $300.00, and if persons, shall, in addition, be imprisoned in the County jail for not less than thirty, nor more than sixty days.

Upon a second conviction for a violation of any provisions of this act, the defendant or defendants, if persons, shall be confined in the penitentiary for not less than one year, nor more than three years, and for the third and each subsequent conviction, the person or persons shall be imprisoned in the penitentiary not less than five, nor more than ten years. If the defendant be a corporation, for the second offense, a fine shall be inflicted of not less than $1,000.00 or more than $5,000.00 and for the third and each succeeding offense, a fine shall be inflicted in the discretion of the jury, but not less than $5,000.00. These punishments shall apply to all second, third and subsequent violations of the provisions of this Act except the punishments for contempt of the Court's injunction, as hereinafter provided.

§ 3. Every person knowingly aiding, assisting or abetting any person, firm or corporation in the violation of any of the provisions of this Act, shall be deemed a principal and punished as such.

§ 4. In the trial of any issue arising under this Act, the burden of proof shall be upon the defendant to show that the manufacture, sale or transportation of the liquor in question was within the exception provided in the first section of this Act.

§ 5. No witness in a trial for a violation of this Act shall be permitted to refuse to answer any question because the answer will incriminate himself, but this evidence shall not be used against him in any subsequent proceeding, and such witness shall not be prosecuted for any offense disclosed in such testimony.

§ 6. All spirituous, vinous, malt or other intoxicating liquors, whether medicated, proprietary, patented or not, unless excepted under this Act, and which contain one-half of one per centum or more of alcohol by volume shall be construed as falling within the inhibition of this Act.

All persons who are convicted under this Act and receive a fine or jail sentence as punishment shall serve out the judgment at hard labor at the rate of One Dollar per day of the fine or jail sentence.

§ 8. No trick, device, subterfuge or pretense shall be allowed to evade the operation or defeat the purpose of this law.

§ 9. Every house, building, or other structure, together with the lot of land upon which it is situated, and every car, truck, wagon or other vehicle, together with any or all animals used in propelling or hauling same, and every boat or other water craft knowingly used by the owner to violate any provision of this law, shall be declared a common and public nuisance and shall be enjoined and abated as hereinafter provided, and in addition thereto, shall be forfeited to the Commonwealth of Kentucky.

Any person, firm or corporation, knowingly or intentionally renting, hiring or letting or lending any house, building, or other structure or premises, or any boat or other water

craft, or any car, truck, wagon or other vehicle, or the animal or animals used in hauling or propelling the same, to another or others, for the purpose of violating any provision of this Act, shall be considered guilty of a nuisance and of a violation of this Act, and the property so used shall be forfeited and sold as if the unlawful act had been committed by him or them in person.

§ 10. Whenever a nuisance is kept, committed, maintained or exists as defined in this Act, the Commonwealth's Attorney or County Attorney or any citizen of the county wherein such nuisance exists, may maintain an action in equity in the name of the Commonwealth of Kentucky upon the relation of such attorney or citizen to forfeit such property and to perpetually enjoin the said nuisance, the person or persons committing, conducting or maintaining the same, and the owner or agent of the building, ground, vehicle, animal, boat, or other water craft in connection with which the nuisance is committed. In such action the court, or a judge in vacation, shall upon the presentation of a petition therefor alleging that the nuisance or commission of such nuisance exists, or has been maintained or committed, grant a temporary injunction, without bond, if the existence or commission of such nuisance be made to appear to the satisfaction of the court or judge, by evidence in the form of affidavit, depositions, oral testimony or otherwise as the complainant may elect. Three days' notice shall be given the defendant of the hearing of the application. When an injunction has been granted, it shall be binding on the defendant throughout the Commonwealth of Kentucky, and any violation of the provisions of the injunction herein provided shall be a contempt as hereinafter provided.

§ 11. In such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existence of said nuisance. If the complaint is filed by a citizen, it shall not be dismissed, except upon a sworn statement made by the complainant and his attorney, setting forth the reasons why the action should be dismissed, and the dismissal approved by the Commonwealth or County Attorney in writing or in open court. If the court is of the opinion that

the action ought not be dismissed, it may direct the Common wealth or County Attorney to prosecute said action to judgment; and if the action is continued more than one term of court, any citizen may be substituted for the complaining party and prosecute said action to judgment. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

§ 12. That in case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceedings shall be commenced by filing with the clerk of the court an affidavit, setting out the alleged facts constituting such violations, upon which the court or judge shall cause an order of arrest to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceedings demand the production and oral examination of the witnesses. A party found guilty of contempt, under the provisions of this act, shall be punished by a fine of not less than $200.00 nor more than $1,000.00, or by imprisonment in the county jail not less than three years nor more than six months, or by both fine and imprisonment.

§ 13. That if the existence of the nuisance be established in an action as provided in this Act, an order of abatement shall be entered as a part of the judgment in the case, which order shall direct the removal from the building or place of all fixtures, furniture or movable property used in conducting the nuisance, and shall order the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of one year, unless sooner released. If any person shall break, enter or use a building, erection or place so directed to be closed he shall be punished as for contempt, as provided in the preceding section. The sheriff shall be allowed for sale hereunder the same fees as allowed for sales under execution. For all other services hereunder, the sheriff shall be allowed a reasonable fee by the court, to be taxed as part of the costs in the action;

provided that no injunction shall issue against an owner, nor shall an order be entered requiring that any building or apartment or any place be closed or kept closed if it appears that such owner and his agents have in good faith endeavored to prevent such nuisance. Nothing in this Act contained shall authorize any relief respecting any other property than that in which a nuisance exists.

§ 14. That the proceeds of the sale of all property, as provided in the preceding sections, shall be applied first to the payment of the costs of the action and abatement, second, twenty per cent thereof shall be paid to the person instituting the action, if a private citizen; third, the balance remaining, if any, shall be paid to the Commonwealth of Kentucky and be credited to the General Expenditure Fund.

§ 15. If the owner, agent, or lessee of any building, erection, place or ground or property of any kind, against which an injunction has been issued, appears and pays all costs of the proceeding and files a bond, with surety to be approved by the clerk, qualified as required by Section 684 of the Civil Code of Practice, in the full value of the property to be ascertained by the court, or, in vacation, by the judge thereof, conditioned that he will immediately abate said nuisance and prevent the same from being maintained or kept within a period of one year thereafter, the court, or, in vacation, the judge, may if satisfied of his good faith, order the premises which have been closed, or other property involved, under the order of abatement to be released to said owner and said order of abatement cancelled so far as the same may relate to said property, and if said bond be given and costs therein paid before judgment and order of abatement, the action shall be thereby abated as to said property. The release of the property under the provisions of this section shall not release it from any judgment, lien or liability to which it may be otherwise subject by law.

§ 16. It shall be the duty of every person who proposes to manufacture or sell any liquors herein defined, before he shall manufacture or sell any such liquors, to file with the County Court Clerk of the County wherein he proposes to manufacture or sell such liquors, his sworn statement of in-

tention so to do, which shall contain the following information:

His intention to manufacture or sell such liquors and the kind thereof.

The particular place where such liquors are to be manufactured or sold.

If any person shall manufacture or sell any such liquors before the filing of his declaration of intention so to do, or before executing a bond as hereinafter provided, with the County Court Clerk, he shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars or imprisoned in the County jail not less than six months nor more than one year or both so fined and imprisoned in the discretion of the jury and every day on which he shall manufacture, sell or dispose of any such liquors, shall be deemed a separate offense. No such liquors shall be manufactured or sold by any person at any place other than that set out in his declaration of intention.

§ 17. Before any person shall manufacture any spirituous, vinous, malt or intoxicating liquor containing one-half of one per centum of alcohol by volume, he shall execute bond in the sum of $5,000.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the County Court; which said bond shall be executed and filed in the office of the County Court Clerk of the county in which said liquors are to be manufactured or sold. Said bond shall be conditioned that said person shall not manufacture, sell or dispose of such liquors in violation of any of the provisions of this Act. Upon conviction of any such person of any offense provided in this Act, the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 18. Before any person other than a manufacturer shall sell or dispose of any spirituous, vinous, malt or intoxicating liquor containing one-half of one per centum or more of alcohol he shall execute bond in the sum of $2,000.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the County Clerk; which said bond shall be executed and filed in the office of the County Court Clerk of the county in which said liquors are to be sold. Said bond shall be conditioned that such liquors will not be sold or disposed

of in violation of any of the provisions of this Act. Upon conviction of any such person of any offense as provided in this act the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 19. All persons manufacturing any spirituous, vinous, malt or intoxicating liquor, containing one-half of one per centum or more of alcohol by volume, shall file in the office of the County Court Clerk of the County in which such liquors are made, a sworn statement, showing the amount, kind and quality of the liquors so manufactured and its location, and if any has been sold, the amount sold, the date of each sale and the name and address of the persons to whom it has been sold. If none has been sold, the report shall so state. This report shall be made and filed on the first day of July and the thirty-first day of December of each year. Such persons so manufacturing such liquors shall keep a record showing the amount, kind and quality of such liquors, the amount sold, the name and address of the persons to whom any such liquors are sold, and the date of all such sales, which record shall be open to the inspection of the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are manufactured, at all business hours of any day.

§ 20. All persons, other than manufacturers, who sell or dispose of any spirituous, vinous, malt or intoxicating liquor, containing one-half of one per centum or more of alcohol by volume, shall keep a record, showing the amount, kind and quality of such liquors, and the amount sold and the name and address of the persons to whom any such liquors shall be sold, or disposed of, and the dates of all such sales or dispositions, which record shall be open to the inspection of the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are sold, at all business hours of any day.

All such persons, other than manufacturers, who sell or dispose of liquors shall file in the office of the county court clerk of the county in which such liquors are sold, or disposed of, a sworn statement, showing the amount, kind and quality of the liquors sold, the date of such sale, the amount sold, and

the name and address of the persons to whom sold. If none has been sold, the report shall so state; such reports shall be made and filed on March 31, June 30, September 30 and December 31 of each year.

A filing fee of twenty-five dollars shall be paid by all persons other than manufacturers who sell any such liquors, to the county court clerk, at the time of the filing of each report, which shall be paid into the state treasury by the clerk.

A filing fee of one hundred dollars shall be paid by such manufacturers of such liquors to the county court clerk, at the time of the filing of each report, which fee shall be paid into the state treasury by the clerk.

§ 21. Before any physician shall issue any prescription for any liquors as provided for herein, he shall execute bond in the sum of $500.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the county court clerk, which shall be executed and filed in the office of the county court clerk of the county in which the said physician is a resident. Said bond shall be conditioned that said physician shall not prescribe, sell or dispose of any such liquors in violation of any of the provisions of this act. Upon conviction of any such physician of any offense defined in this act, the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 22. Every physician who issues prescriptions under this act shall keep duplicates of same on file in alphabetical order at his office for two years after the date thereof; said prescriptions shall be open to the inspection of the county attorney and the Commonwealth's attorney of the county and district in which such physician resides.

§ 23. No sale or disposition of such liquors as defined herein, shall be made by any person upon or because of any physician's prescription, unless such prescription shall state the name and address of the patient, the druggist or pharmacist to whom addressed, the amount required, that the physician is in personal attendance on said patient, the ailment of the patient and the name and address of the physician who prescribes the liquor, and that the alcoholic preparation prescribed is necessary in the proper treatment of said ailment of said patient and the date thereof. Before any such

liquor shall be delivered, it shall be so harmlessly medicated as will render it unfit for beverage purposes. All such prescriptions shall be marked canceled and filed and kept by the person making such sale for two years after the date of the sale, and shall at no time be refilled. Such prescriptions shall be subject to inspection at any business hour of any day by the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are sold. No person other than a regularly licensed and practicing physician shall issue any such prescriptions.

§ 24. No prescription shall provide for more than one pint of such liquors, nor shall any person sell more than one pint of such liquor upon any physician's prescription to any person at any time, not at intervals of less than ten days. If any person shall procure any such liquors upon such prescriptions at intervals of less than ten days, he shall be fined not less than fifty dollars, nor more than one hundred dollars, or imprisonment in the county jail for not less than ten days nor more than sixty days, or both so fined and imprisoned in the discretion of the jury.

§ 25. Upon conviction of any druggist, pharmacist or physician for violating any of the provisions of this act, the judgment of conviction, in addition to all other penalties imposed in this act shall provide for the suspension of the license of such physician, druggist or pharmacist for the period of one year.

§ 26. Any person who shall forge a physician's prescription or attempt to use such prescription in obtaining liquors from any person authorized to sell such liquors, or other persons, shall be punished by confinement in the county jail not less than sixty (60) days nor more than one year for such offense.

§ 27. No patent proprietary or medicine containing more than one-half of one per centum by volume of alcohol shall be sold or disposed of in this Commonwealth, except upon the prescription of a physician which shall be filled by a regular druggist or pharmacist under the provisions and regulations of this act.

§ 28. No lemon or other flavoring extracts containing more than one-half of one per centum by volume of alcohol shall be manufactured, transported or sold in this Commonwealth.

§ 29. It shall be the duty of the Auditor to prepare, by and with the advice of the Attorney General, all blanks and forms provided for hereunder. Upon application, he shall furnish any person with a sufficient quantity of the same.

§ 30. For each manufacturer's report filed, the county court clerk shall receive a fee of one dollar.

For each report filed by any person other than a manufacturer, the county court clerk shall receive a fee of fifty cents.

For each declaration of intention to either manufacture or sell, filed by any person, the county court clerk shall receive a fee of one dollar.

All such fees shall be paid by the persons filing such reports and declarations of intention.

§ 31. Any person who shall in any public place, or in or upon any passenger coach, street car, or in or upon any vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, drink any intoxicating liquor of any kind, or if any person shall be drunk or intoxicated in any public or private road or in any passenger coach, street car or other public place or building, or at any public gathering, or if any person shall be drunk or intoxicated or shall disturb the peace of any person, he shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than $10.00 nor more than $100.00, or by imprisonment for not less than five days or more than thirty days, or both such fine and imprisonment.

§ 32. Every railroad conductor is hereby authorized and empowered to exercise in any county of this state through which the train in charge of such conductor passes all the common law and statutory powers in their respective counties for the purpose of enforcing the provisions of the last preceding section, and to arrest offenders against any such provisions, and in so doing are acting for the state and not as employes of the railroad company. Arrests for offenses

against any such provisions may be made by such conductor without warrant; and persons so arrested shall be delivered by him to some justice of the peace, police judge, sheriff, constable or police officer at some station or place within the county in which the offense was committed, for trial as provided by law; Provided, that if the train shall have passed from the county in which such offense was committed, and for which such arrest shall have been made, then such conductor shall deliver the person so arrested to some officer of another county, and he shall be held and delivered to some officer of the county in which the offense was committed, to be there held for trial as provided for by law. Provided, that any railroad conductor who is actually engaged in the discharge of his duty and makes a legal arrest under the provisions of this section, then and in that case the railroad company employing him shall not be liable for damages to the person or persons for such arrest.

§ 33. Any officer, agent or employe of the railroad company, express company or other common carrier, who shall knowingly carry or deliver any liquors, the sale of which is prohibited by this act, to and for any person to be sold, bartered, given away, or otherwise furnished in violation of this act, shall be guilty of a misdemeanor. Any officer, agent, or employe who shall knowingly deliver any such liquors to any person other than the persons to whom it is consigned, and without a written order in such instance of the consignee thereof shall be guilty of a misdemeanor, and upon conviction shall be fined not less than $50.00 nor more than $500.00.

§ 34. It shall be the duty of the courts and judges of this Commonwealth and all officers and conservators of the peace to enforce all the provisions of this act and of the acts of Congress of the United States enacted to enforce the Eighteenth Amendment to the United States Constitution.

§ 35. All laws or parts of laws in conflict with this act are hereby repealed.

§ 36. If any section, paragraph or part of this act shall be held to be unconstitutional, the remainder of this act shall continue effective and enforcible notwithstanding such decision.

§ 37. This act shall take effect on and after July 1, 1920.

Mr. Waggoner, of the Committee on Alcoholic Liquor Traffic, offered the following amendment to said substitute:

Amendment No. 1. Amend Section 6 by substituting the following:

Section 6. The articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this Act, including the provisions relating to the keeping of records, the giving of notice, and the filing of statements in the county court clerk's office, if they correspond to the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia, National Formulary or the American Institute of Homeopathy that are unfit for use for beverage purposes.

(c) Patented, patent, and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal, and antiseptic preparations and solutions that are unfit for beverage purposes.

(e) Flavoring extracts and sirups that are unfit for use as a beverage, or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

(g) Wine for sacramental purposes.

(h) Alcohol medicated according to such formulae as will render it unfit for beverage purposes and which is to be sold for legitimate external use.

(i) Alcohol for mechanical and scientific purposes if unfit for a beverage.

(j) Any person who manufacturers, purchases or possesses any of the articles mentioned in this section, or preparations fit for beverage purposes which are authorized to be manufactured, may be used in the manufacture of other preparations compounded in accordance with formulae prescribed by the United States Pharmacopeia, National Formulary or

the American Institute of Homeopathy, which preparations when so manufactured are unfit for use for beverage purposes, or in the manufacture of patented, patent, and proprietary or other medicines, or for physicians' prescriptions, which are unfit for use for beverage purposes, may purchase and possess liquors for that purpose, but he shall give the bond as provided in Section 17 to the Commonwealth of Kentucky that such liquors shall be used only for the purpose mentioned herein, and he shall keep a record of the amount of the liquors so manufactured each day. Said records to be open to the inspection of the County Attorney of the county and to the Commonwealth's Attorney of the district wherein such person resides.

No such manufacturer shall sell, use or dispose of any liquor otherwise than as an ingredient of the articles authorized to be manufactured therefrom. No more alcohol shall be used in the manufacture of any sirup, extract or the articles named in paragraphs b, c and d of this section which may be used for beverage purposes than the quantity necessary for the extraction or solution of the elements contained therein and for the preservation of the article.

Any person who shall knowingly sell any of the articles mentioned in paragraphs a, b, c, and d of this section for beverage purposes or any extract or sirup for intoxicating beverage purposes, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purpose, or shall sell any beverage containing one-half of one per centum or more of alcohol by volume in which any extract, sirup or other article is used as an ingredient, shall be subject to the penalties provided in this Act.

Nothing in this Act shall prevent the manufacture or sale of wine for sacramental purposes in accordance with the provisions of the National Prohibition Act.

Alcohol for mechanical and scientific purposes may be secured from persons authorized to manufacture and sell such alcohol under the provisions of the National Prohibition Act.

Said amendment was agreed to.

The same gentleman offered Amendment No. 2 as follows:

Amend Section 9 by adding the word "aircraft" following the word "watercraft."

Said amendment was adopted.

The same gentleman offered Amendment No. 3 as follows:

Amend Section 10 by adding the word "aircraft" following the word "watercraft."

Said amendment was adopted.

The same gentleman offered Amendment No. 4 as follows:

Amend Section 16 by adding after the word "Act," in line 2, the words "except as provided in Section 6 of this Act."

Said amendment was adopted.

The same gentleman offered Amendment No. 5 as follows:

Amend Section 17 by striking out the figures "$5,000" and inserting in lieu thereof "$1,000."

Said amendment was agreed to.

The same gentleman offered Amendment No. 6 as follows:

Amend Section 18 by striking out the figures "$2,000" and inserting in lieu thereof "$1,000."

Said amendment was agreed to.

The same gentleman offered Amendment No. 7 as follows:

Amend Section 19 by inserting immediately following the word "Act," in line 2, "except as provided is Section 6 of this Act;" and also by inserting immediately following the word "liquors" in line 10, the words "except as provided in Section 6 of this Act;" also by striking out the word "quality" in lines 4 and 11 and inserting in lieu thereof the word "quantity."

Said amendment was agreed to.

The same gentleman offered Amendment No. 8 as follows:

Amend Section 20 by adding after the word "Act," in line 3, "except as provided in Section 6 of this Act;" also by inserting in line 11, immediately after the word "Act," "except as provided in Section 6;" and also by striking out the word "quality" in line 4 and inserting in lieu thereof the word "quantity."

Said amendment was agreed to.

The same gentleman offered Amendment No. 9 as follows:

Amend Section 24 by striking out all of said section and substituting therefor the following:

"Section 24. No prescription shall provide for more than one pint of such liquors, nor shall any physician prescribe for more than one pint of such liquors to any person at any time,

nor at intervals of less than ten (10) days. If any person shall procure any such liquors upon such prescriptions at intervals of less than ten (10) days, he shall be fined not less than fifty ($50.00) dollars nor more than one hundred ($100.00) dollars or imprisoned in the county jail for not less than ten (10) days nor more than sixty (60) days, or both so fined and imprisoned in the discretion of the jury."

Said amendment was agreed to.

The same gentleman offered Amendment No. 10 as follows:

Amend Section 25 by striking out all of said section and inserting in lieu thereof the following:

"Section 25. Upon the first or second conviction of any druggist, pharmacist or physician for violating any of the provisions of this Act, the judgment of conviction, in addition to all other penalties imposed in this Act, may in the discretion of the trial court, provide for the suspension of the license of such physician, druggist or pharmacist, for the period of one year; and for the third conviction, shall provide for the suspension of the license of such physician, druggist or pharmacist for the period of one year."

Said amendment was agreed to.

The same gentleman offered Amendment No. 11 as follows:

Amend Section 33 by striking out the word "or," in line 2 and inserting in lieu thereof the word "of."

Said amendment was agreed to.

The same gentleman offered Amendment No. 12 as follows:

Amend Section 35-a by adding after the word "manufacturers," in line 7 the words "wholesale druggists or retail druggists" and by adding after the word "druggists," in line 11 the words "or retail druggists."

Said amendment was agreed to.

The same gentleman offered Amendment No. 13 as follows:

Amend Section 9 by adding thereto the following:

"But nothing in this Act shall be construed so as to make it unlawful to possess liquors in one's private dwelling while the same is occupied and used by him as his dwelling only and such liquors need not be reported, provided such liquors are for the use only for the personal consumption of the owner thereof and his family residing in such dwelling, and for his bona fide guests when entertained by him therein; and the burden of proof shall be upon the possessor in any action concerning the same to prove that such liquor was lawfully acquired, possessed and used."

Said amendment was agreed to.

Mr. Humphreys offered Amendment No. 14 as follows:

Amendment to substitute for House Bill 181; by striking out entirely Section No. 4.

Said amendment was agreed to.

Mr. Hudson offered Amendment No. 15 as follows:

Amend substitute to House Bill 181 by adding at the end of Section 19 thereof the following:

"No medicinal preparation or extract containing more than one-half of one per cent. alcohol, or containing any

chloroform, cocaine, codeine, morphine, opium, heroin or any salts or derivatives of any of these, can be sold or dispensed in this State except by or under the direct supervision of a registered druggist. Nothing in this Section shall be construed to prevent physicians engaged in the active practice of their profession from dispensing their own medicines as now provided by law and subject to the limitations set forth in this Act.

"Any violation of this section shall be construed as a violation of this Act."

After some discussion, Mr. Hudson asked unanimous consent to withdraw said amendment, which consent was given, and said amendment was withdrawn.

By Mr. Welch, Amendment No. 16, as follows:

Amend substitute for 181, Section 21, by striking out said section.

Said amendment was agreed to.

By same, Amendment No. 17, as follows:

Amend substitute for 181, Section 23, line 5, after the word "patient," by striking out the words "the ailment of the patient."

Said amendment was agreed to.

By Mr. Holiday, Amendment No. 18, as follows:

Amendment to substitute 181, by striking out all of Section 9, page 3, down to and including line 8.

Said amendment was agreed to.

By Mr. Welch, Amendment No. 19, as follows:

Amend by inserting in lieu of the Section 21, stricken out:

Insert Section 21 to the bill by inserting the words:

"Physicians may issue and pharmacists may fill prescriptions for intoxicating liquors, under the restrictions of the National Federal Law."

Said amendment was agreed to.

Then the question was taken on the adoption of the substitute as amended, and said substitute was adopted.

Ordered, that said bill as amended by the substitute as amended be engrossed and read the third time.

The provision of the Constitution as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Joseph Lazarus | Wm. A. Stewart |
| Sidney Alfrey | Rev. J. A. Lee | R. Lee Stewart |
| H. H. Barnes | Elmer Lusby | John T. E. Stites |
| W. T. Beckham | R. C. Marcum | Frank L. Strange |
| S. M. Bennett | I. S. Mason | John W. Swope |
| J. M. Billiter | A. J. McCandless | John B. Thomas |
| J. F. Carr | H. C. McLellen | J. H. Thompson |
| T. L. Caudel | Mack J. Morgan | J. Mack Thompson |
| A. S. Cooper | John T. Murphy | John L. Trumbo |
| B. J. Geohringer | Chas. A. Nelson | C. B. Truesdell |
| J. W. Geveden | T. C. Pryse | J. Wood Vance |
| A. F. Hanberry | B. F. Reynolds | Fred C. VanHoose |
| E. C. Hardin | J. L. Richardson | Daniel Vose |

| | | |
|---|---|---|
| Dr. W. L. Haynes | Sherman Robbins | G. C. Waggoner |
| D. J. Howard | Lee Rogers | A. M. Wash |
| Robt. Humphreys | B. A. Roth | Dr. T. R. Welch |
| Griffin Kelly | Chas. R. Scott | Gladstone Wesley |
| Frank Kennard | W. P. Scott | W. G. Wheeler |
| J. M. Knott | Dr. B. F. Shields | R. E. Wilborn |
| Dr. S. D. Laughlin | H. G. Skiles | Dr. W. S. Yazell |
| Hebron Lawrence | S. G. Smith | —62 |

Those who voted in the negative were:

| | | |
|---|---|---|
| L. H. Ballard | J. M. Foster | Henry Kaufman |
| W. M. Boling | Dr. T. H. Gamblin | W. L. Kimbrough |
| Rodney G. Bryson | Dr. W. L. Gossett | Estill W. Neel |
| W. T. Carner | Talbert Holliday | Dr. D. J. Travis |
| Charles M. Ciarlo | A. R. Hudson | J. S. Webb |
| P. A. Day | Adam W. Huff | V. M. Williamson |
| J. B. Denues | R. O. Huntsman | W. N. Winn |
| H. C. Duffy | J. W. Johnson | —23 |

*Resolved,* That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that that motion lie on the table.

Said motion was agreed to.

The following bills which had been passed by the House were reported to the Senate:

House Bills Nos. 122, 312, 80, 44, 302, 116, 299, 313, 322 and 196.

The following bills were delivered to the committees to which they had been referred:

House Bills Nos. 418, 426, 427, 424, and Senate Bill No. 21.

The House took up for consideration from the Orders of the Day, the special order, House Bill No. 236, of the following title:

House Bill No. 236. An Act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent Agricultural, Merchants and Manufacturers building upon said Kentucky State Fair Grounds.

Whereas, there has been conveyed to the State Board of Agriculture certain real estate in Jefferson County Kentucky for the use, benefit and purposes of the Kentucky State Fair; and Whereas, permanent buildings and improvements have been erected on said land for the use and benefit of the Kentucky State Fair and said Fair conducted thereon; and Whereas, an Agricultural, Merchants and Manufacturers exhibit building is urgently needed for the use and benefit of said Kentucky State Fair; and Whereas, the Commonwealth of Kentucky has not now sufficient money in the treasury, not otherwise appropriated, to add such needed permanent building.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the State Board of Agriculture be, and it is hereby authorized and empowered to bond the Kentucky State Fair property for a sum not to exceed Three Hundred Thousand ($300,000.00) Dollars in order to meet and pay the cost of an Agricultural, Merchants and Manufacturers exhibit building, and that the said State Board of Agriculture is hereby authorized and empowered to borrow said money upon such time or terms as it may deem best for the interests of the said Kentucky State Fair, but the rate of interest paid upon any such loans shall not exceed six per cent per annum.

§ 2. That the State Board of Agriculture be authorized and empowered to create a sinking fund from such part of the moneys collected from the rental of space in said building

as is deemed expedient, for the purpose of retiring as much of said bonded indebtedness as possible.

§ 3. Inasmuch as the above permanent exhibit building is needed for the use and conduct of the Kentucky State Fair to be held during the current year, therefore, an emergency is declared to exist, and the Act shall take effect and be in force from and after its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| H. H. Barnes | Frank Kennard | H. G. Skiles |
| W. T. Beckham | W. L. Kimbrough | S. G. Smith |
| S. M. Bennett | J. M. Knott | Wm. A. Stewart |
| J. M. Billiter | Dr. S. D. Laughlin | John T. E. Stites |
| W. M. Boling | Hebron Lawrence | Frank L. Strange |
| W. T. Carner | Joseph Lazarus | T. R. Stultz |
| J. F. Carr | Elmer Lusby | John W. Swope |
| A. S. Cooper | R. C. Marcum | John B. Thomas |
| P. A. Day | I. S. Mason | J. H. Thompson |
| H. N. Dean | A. J. McCandless | Dr. D. J. Travis |
| J. M. Foster | R. L. McFarron | C. B. Truesdell |
| Dr. T. H. Gamblin | H. C. McLellen | John L. Trumbo |
| B. J. Geohringer | Mack J. Morgan | Daniel Vose |
| J. W. Geveden | John T. Murphy | G. C. Waggoner |
| A. L. Hamilton | Estill W. Neel | A. M. Wash |
| A. F. Hanberry | B. F. Reynolds | J. S. Webb |

| | | |
|---|---|---|
| E. C. Hardin | J. L. Richardson | Dr. T. R. Welch |
| D. J. Howard | Lee Rogers | Gladstone Wesley |
| A. R. Hudson | B. A. Roth | W. G. Wheeler |
| R. O. Huntsman | Dr. Lewis Ryans | R. E. Wilborn |
| J. W. Johnson | Chas. R. Scott | W. N. Winn |
| Henry Kaufman | W. P. Scott | Dr. W. S. Yazell |
| Griffin Kelly | Dr. B. F. Shields | —68 |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | Chas. A. Nelson | —2 |

*Resolved*, That the title thereof be as aforesaid.

Mr. Beckham moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McCandless moved that the rules be suspended and that House Bill No. 115 be taken up for immediate consideration and placed upon its passage.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 115.

House Bill No. 115. An Act to amend and re-enact Section 4535-h-1, Kentucky Statutes, Carroll's 1915 Edition, 3rd volume, published in 1918, prescribing the qualifications of women voters in school elections for school officers and in all elections in which women are or may be entitled to vote.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That said section be amended by striking therefrom the words "and who in addition are able to read and

write," which appear in the second and third lines of said section, after the word "election," so that when said section is so amended and re-enacted it will read as follows:

"That all women possessing the legal qualifications required of male voters in any common school election shall be qualified and entitled to vote at all primary and regular elections of school trustees and other school officers required to be elected by the people, and upon all school measures or questions submitted to a vote of the people; and all women possessing the legal qualifications required as to males shall be eligible to hold any school office or office pertaining to the management of schools; Provided, however, that this act shall not apply to any election the qualifications of the voters at which are otherwise prescribed by the Constitution, nor to any office as to which the Constitution otherwise prescribes the qualifications of the persons eligible thereto."

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | Griffin Kelly | J. L. Richardson |
| L. H. Ballard | Frank Kennard | Lee Rogers |
| H. H. Barnes | W. L. Kimbrough | B. A. Roth |
| S. M. Bennett | J. M. Knott | Chas. R. Scott |
| J. M. Billiter | Dr. S. D. Laughlin | S. G. Smith |
| W. T. Carner | Hebron Lawrence | R. Lee Stewart |
| J. F. Carr | Joseph Lazarus | T. R. Stultz |
| Charles M. Ciarlo | Rev. J. A. Lee | J. Wood Vance |

| | | |
|---|---|---|
| H. N. Dean | Elmer Lusby | Daniel Vose |
| J. B. Denues | R. C. Marcum | G. C. Waggoner |
| Dr. T. H. Gamblin | I. S. Mason | A. M. Wash |
| B. J. Geohringer | A. J. McCandless | J. S. Webb |
| Dr. W. L. Gossett | R. L. McFarron | Dr. T. R. Welch |
| A. F. Hanberry | H. C. McLellen | Gladstone Wesley |
| A. R. Hudson | Mack J. Morgan | R. E. Wilborn |
| Robt. Humphreys | Estill W. Neel | Dr. W. S. Yazell |
| Henry Kaufman | T. C. Pryse | —50 |

Those who voted in the negative were:

| | | |
|---|---|---|
| Lon Adams | Chas. A. Nelson | John W. Swope |
| B. L. Cox | B. F. Reynolds | J. Mack Thompson |
| P. A. Day | Dr. B. F. Shields | J. H. Thompson |
| H. C. Duffy | H. G. Skiles | Dr. D. J. Travis |
| A. L. Hamilton | John T. E. Stites | W. G. Wheeler |
| J. W. Johnson | Frank L. Strange | —17 |

*Resolved,* That the title thereof be as aforesaid.

Mr. McCandless moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved that today's session be extended indefinitely.

Said motion was agreed to.

A message was received from the Senate saying that it had passed Senate Bill No. 45 of the following title:

"An Act repealing Sub-section 2, of Section 4469-a, Kentucky Statutes, Carroll's Edition, 1915, and enacting in lieu thereof a new sub-section."

Referred to the Committee on Education No. 1.

Also that the Senate had passed Senate Bill No. 167 of the following title:

An Act repealing Sub-section 1 of Section 4521-a, Kentucky Statutes, Carroll's Edition, 1915, being the same as Section 213, of ChapterXVII of the Common School Law of 1918, and also Section 216 of the Common School Law, 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State.

Ordered to be printed and referred to the Committee on Education No. 1.

Also that the Senate had passed Senate Bill No. 127 of the following title:

An Act to amend and re-enact Sections 3 and 5 of an Act entitled, "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which Act is Chapter XXVII, Acts 1910, approved March 17, 1910.

Ordered, that said bill be printed and referred to the Committee on Municipalities.

Also that the Senate had passed Senate Bill No. 143 of the following title:

An Act to suppress mob violence and prevent lynching: Providing for punishment of persons violating the provisions of the Act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Ordered, that said bill be printed and referred to the Committee on Kentucky Statutes.

Also that the Senate had passed Senate Bill No. 166 of the following title:

An Act to provide physical education and training for all pupils in the common, graded, State normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

Ordered, that said bill be printed and referred to the Committee on Education No. 2.

Also that the Senate had passed Senate Bill No. 103 of the following title:

An Act to amend an Act entitled, "An Act to establish an insurance and annuity fund for teachers in the public schools of cities of the second class in the State of Kentucky, and to regulate the collection, management and disbursement thereof," which Act is known as Section 3235-e, Carroll's Edition, Kentucky Statutes.

Ordered, that said bill be printed and referred to the Committee on Municipalities.

Mr. Neel moved to suspend the rules and take up for immediate consideration House Bill No. 314.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 314.

House Bill No. 314. An Act requiring all warehouse companies and persons, firms and corporations furnishing storage for personal property to make a report to the county tax commissioner giving information for assessment purposes and providing how such reports shall be prepared and

furnished, and how and by whom the taxes based upon such reports shall be paid, and fixing penalties.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Every warehouse company and every person, firm or corporation furnishing storage for personal property, shall, on or before the 1st day of August in each year, make a report to the county tax commissioner, giving accurate and complete information as to all property held by such warehouse company, person, firm or corporation on the 1st day of July each year, and shall give the names and residences of the owners of all property so held on said date, and said reports shall also state the value of the property so held and shall contain such other information as may be required by the State Tax Commission on the blank forms which may be prescribed.

§ 2. The State Tax Commission shall prepare the necessary blanks on which the reports herein required shall be made and the form shall be such as to elicit full and complete information touching the matters covered. These blank forms shall be delivered to the county tax commissioner on or before the 1st day of June in each year, who shall cause a blank form to be placed in the hands of any such warehouse company, person, firm or corporation, on or before the 1st day of July in each year.

§ 3. Such report shall be made in accordance with the form prescribed and shall be signed and verified by the chief officer or person in charge of such business.

§ 4. Any warehouse company, person, firm or corporation failing to make a report as herein required shall be guilty of a misdemeanor and subject to a fine of not less than $50.00 nor more than $500.00 for each offense, and each demand for such a report made by the county tax commissioner after the 1st day of September which is not complied with shall be considered a separate offense.

§ 5. When the county tax commissioner receives such report, he shall treat the same as the schedule of an individual taxpayer, and shall fix the value of the property in the same way he is required to fix the value of property belonging to an individual.

§ 6. The property shall be assessed in the name of the warehouse company, person, firm or corporation owning or controlling such business and such company, person, firm or corporation shall pay the taxes due upon the assessment, but any such company, person, firm or corporation shall have a lien upon the property assessed for all taxes due and shall not be required to surrender possession of any such property until the amount of taxes due shall have been paid to such company, person, firm or corporation, together with legal interest thereon from the time of payment.

§ 7. In the event the county tax commissioner or the State Tax Commission deems it necessary, said county tax Commissioner or any member or representative of the State Tax Commission may make a personal inspection and investigation of the property held in storage by such company, person, firm or corporation, and if any person in charge of such business shall refuse to permit such inspection and investigation, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding $500.00 for each offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Adam W. Huff | Lee Rogers |
| Sidney Alfrey | J. W. Johnson | B. A. Roth |
| L. H. Ballard | Henry Kaufman | Chas. R. Scott |
| H. H. Barnes | Frank Kennard | Dr. B. F. Shields |
| S. M. Bennett | W. L. Kimbrough | H. G. Skiles |
| J. M. Billiter | J. M. Knott | S. G. Smith |
| W. M. Boling | Dr. S. D. Laughlin | R. Lee Stewart |
| W. T. Carner | Hebron Lawrence | Wm. A. Stewart |
| J. F. Carr | Rev. J. A. Lee | Frank L. Strange |
| T. L. Caudel | Elmer Lusby | John W. Swope |
| Charles M. Ciarlo | R. C. Marcum | John B. Thomas |
| A. S. Cooper | I. S. Mason | Dr. D. J. Travis |
| B. L. Cox | A. J. McCandless | C. B. Truesdell |
| H. N. Dean | R. L. McFarron | J. Wood Vance |
| J. B. Denues | H. C. McLellen | Daniel Vose |
| H. C. Duffy | Harry J. Meyers | G. C. Waggoner |
| J. M. Foster | Estill W. Neel | A. M. Wash |
| Dr. T. H. Gamblin | Chas. A. Nelson | J. S. Webb |
| B. J. Geohringer | T. P. Oliver | Dr. T. R. Welch |
| J. W. Geveden | T. C. Pryse | R. E. Wilborn |
| A. F. Hanberry | B. F. Reynolds | Dr. W. S. Yazell |
| A. R. Hudson | J. L. Richardson | —65 |

Those who voted in the negative were:

| | | |
|---|---|---|
| A. L. Hamilton | E. C. Hardin | Griffin Kelly |
| | | —3 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Neel moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Swope offered Joint Resolution No. 24 as follows:

Whereas, there is an imperative demand upon the Legislature to take cognizance of the conditions existing in many counties of this State as a result of a crude system of fiscal affairs that has outgrown its usefulness and that fails to measure up to the needs of the hour; and

Whereas, the members of the fiscal courts of the various counties are allowed practically no remuneration for the very important services they are supposed to perform; and

Whereas, the office of justice of the peace is one of the most important within the gift of the people; and

Whereas, it would be impractical to attempt to enact any law within the time remaining to this Legislature for that purpose, that would comprehend a just and equitable revision of the cumbersome and unsatisfactory fiscal system now in vogue in the counties of this Commonwealth; and

Whereas, time and careful study will be necessary to secure a practical and workable revision of our present law relating to courts of justices of the peace; therefore,

*Be it resolved by the House of Representatives and Senate of the Commonwealth of Kentucky*:

That the Speaker of the House and the President of the Senate name a Commission of Investigation, to be composed of three members of the present House of Representatives, to be named by the Speaker, and two members of the Senate, to be named by the Lieutenant Governor, the duty of this Commission to be to make a complete survey of the fiscal affairs of the counties of this State, as the same relates to the fiscal courts and justices courts thereof, and to secure information from other States as to the methods in vogue in such other States in the management of county affairs, and to secure such other information as will assist the Legislature of Kentucky in dealing with the vital question in an intelligent manner. The Commission herein constituted shall make its investigation and file a written report with the General Assembly which meets in January, 1922.

The Commission shall have power to summon witnesses, to administer oaths, examine records and perform such other duties as may be reasonably necessary in the performance of

its duties. The members shall serve without compensation, but their actual and necessary expenses while engaged in their investigation shall be paid by the Commonwealth, upon presentation of same, approved by the chairman of said Commission.

Said resolution was adopted.

Mr. Humphreys offered the following resolution:

House Resolution No. 25. Joint resolution for the benefit of Edgar McCandless, janitor of the House.

Whereas, Edgar McCandless, janitor of the House, has been designated by the House to act also as bill clerk of the House; and

Whereas, the duties of janitor of the House are prescribed in Section 1989 of the Kentucky Statutes, and are limited to keeping the House chamber in a cleanly condition; and

Whereas, the work of the bill clerk is arduous, and exacting, and extra compensation should be paid him for his services as such; therefore,

*Be it resolved by the House of Representatives, the Senate concurring herein:*

That the said Edgar McCandless be allowed the sum of $3.00 per day in addition to what he receives for his services as bill clerk, the same to be paid by the Treasurer, on warrants drawn on him by the Auditor of Public Accounts, out of the funds in his hands not otherwise appropriated.

Mr. Humphreys moved to suspend the rules and place said resolution upon its passage.

Said motion was agreed to.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Lon Adams | Robt. Humphreys | Chas. R. Scott |
| H. H. Barnes | R. O. Huntsman | W. P. Scott |
| W. T. Beckham | J. W. Johnson | Dr. B. F. Shields |
| S. M. Bennett | Frank Kennard | H. G. Skiles |
| J. M. Billiter | J. M. Knott | S. G. Smith |
| W. M. Boling | Dr. S. D. Laughlin | John T. E. Stites |
| W. T. Carner | Hebron Lawrence | Frank L. Strange |
| J. F. Carr | Joseph Lazarus | T. R. Stultz |
| T. L. Caudel | Rev. J. A. Lee | John W. Swope |
| Charles M. Ciarlo | Elmer Lusby | J. H. Thompson |
| A. S. Cooper | R. C. Marcum | Dr. D. J. Travis |
| P. A. Day | I. S. Mason | C. B. Truesdell |
| H. N. Dean | A. J. McCandless | John L. Trumbo |
| J. M. Foster | R. L. McFarron | J. Wood Vance |
| Dr. T. H. Gamblin | H. C. McLellen | Daniel Vose |
| B. J. Geohringer | Mack J. Morgan | G. C. Waggoner |
| J. W. Geveden | Estill W. Neel | A. M. Wash |
| Dr. W. L. Gossett | Chas. A. Nelson | J. S. Webb |
| A. L. Hamilton | T. P. Oliver | Dr. T. R. Welch |
| A. F. Hanberry | T. C. Pryse | Gladstone Wesley |
| E. C. Hardin | B. F. Reynolds | W. G. Wheeler |
| Dr. W. L. Haynes | J. L. Richardson | R. E. Wilborn |
| Talbert Holliday | Sherman Robbins | W. N. Winn |
| D. J. Howard | B. A. Roth | Dr. W. S. Yazell |
| A. R. Hudson | Dr. Lewis Ryans | —74 |

Voting in the negative:

W. L. Kimbrough —1

So said resolution was adopted.

Mr. Waggoner offered Joint Resolution No. 26 as follows:

Whereas, Washington's Birthday is a legal holiday, under Section 2089-a of the Kentucky Statutes, and falls this year on Sunday; therefore,

*Be it resolved by the House of Representatives of the General Assembly of Kentucky, the Senate concurring:*

That, Monday, February twenty-third, of this year be declared a holiday in lieu of Sunday, February twenty-second, and be not counted as a legislative day under Section 42 of the Constitution and that when the Senate and House of Representatives adjourn today they adjourn to meet Tuesday, February twenty-fourth, 1920 at 1 o'clock.

Said resolution was adopted.

Ordered, that said resolution be sent to the Senate.

After a time the Chief Clerk reported that he had performed that duty.

Upon the call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered to be printed and referred to committees as follows:

By Mr. Robbins:

House Bill 485. An Act to relieve the shortage of cars and to assist the movement of freight within this Commonwealth.

To the Committee on Railroads.

By Mr. Cooper:

House Bill 486. An Act to amend Section 110 of the Code of Practice in criminal cases, to permit the presence of the official stenographer before the Grand Jury.

To the Committee on the Codes of Practice.

By Mr. McLellen:

House Bill 487. An Act for the benefit of the Home for Incurables.

By Mr. Reynolds:

House Bill 488. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

To the Committee on Public Roads and Highways.

By Mr. Ballard:

House Bill 489. An Act providing for the payment, by direction of the Governor, of court costs and expenses of filing and taking of depositions and witness fees in certain proceedings by or on behalf of the Commonwealth to vacate or set aside any order or judgment of the court assessing for taxation for State purposes any property or omitted property, upon the ground of inadequacy, mistake, fraud or other ground, and seeking to cause a larger assessment to be adjudged, and declaring an emergency.

To the Committee on Revenue and Taxation.

By same:

House Bill 490. An Act to regulate rates of toll over intrastate toll bridges.

To the Committee on Public Bridges.

By Mr. Neel:

House Bill 491. An Act relating to the number of ballots to be printed and furnished by the County Court Clerks of this Commonwealth in all primary elections and in all general elections at and in which women are entitled to vote.

To the Committee on Kentucky Statutes.

By Mr. Smith:

House Bill 492. An Act authorizing the Fiscal Courts of certain counties, and authorizing certain municipalities, to appropriate money for the purpose of securing the necessary

areas of water front and suitable water terminals at all towns and landings along certain parts of the Cumberland River adequate for traffic, same to be open to the public equally on terms satisfactory to the Secretary of War of the United States.

To the Committee on Public Roads and Highways.

By Mr. Barnes:

House Bill 493. An Act to repeal, amend and re-enact an Act entitled, "An Act to define the duties of the County Surveyor in counties containing more than 200,000 population, and to provide compensation for them," approved March 7, 1912, and being Section 4679-b of Carroll's Statutes of the Edition of 1915.

To the Committee on Municipalities.

By Mr. Knott:

H. B. 494. An Act concerning the construction and maintenance of public roads, highways and bridges.

To the Committee on Public Roads and Highways.

By Mr. Wash:

House Bill 495. An Act providing for the compulsory study of the elements of the geography and geology of Kentucky in all public high schools, and other schools of like grading, in the Commonwealth of Kentucky, and providing for a free text book for use in the instruction of same.

To the Committee on Education No. 1.

By Mr. Roth:

House Bill 496. An Act to allow an increase in the tax for the Parental Home and School Commission in counties containing a city of the first class and for that purpose to

amend and re-enact Section 4 of Chapter CVI of the Acts of the General Assembly of 1912, being Sub-section 4 of Section 938-b of the Kentucky Statutes, Carroll's 1915 Edition.

To the Committee on Municipalities.

By Mr. Lawrence:

House Bill 497. An Act to regulate the civil service of the State and counties in this Commonwealth.

To the Committee on Kentucky Statutes.

By same:

House Bill 498. An Act to repeal Sub-section 24 and Sub-section 32 of Section 68-b, Carroll's 1918 Edition of the Kentucky Statutes, relating to taxation of dogs, their detention at night and their prosecution by State officials.

To the Committee on Judiciary.

By same:

House Bill 499. An Act to tax incomes from the business of selling for commission, fee or charge, unmanufactured tobacco, and to require reports of such sales by person, firm, association or corporations, engaged in said business, and to provide punishment for not making such report.

To the Committee on Revenue and Taxation.

By same:

House Bill 500. An Act relating to the taxation of dogs, fixing the fees of the County Court Clerks of the various counties of the State of Kentucky, for issuing tags to the owners of dogs and all other duties connected therewith; to fix the fees of County Tax Commissioners for listing said dogs and making all reports concerning same, and providing for the payment to the Commissioner of Agriculture for the dog

tags and license and other material out of the funds collected from the owners of dogs, and the prohibition of the publication of the list of owners of dogs in a newspaper of any kind unless ordered by the fiscal courts of the several counties.

To the Committee on Retrenchment and Reform.

By same:

House Bill 501. An Act fixing the time in which a plaintiff in an action involving the title to real estate shall be required to prove a chain of title in all counties of the Commonwealth of Kentucky in which the records of title have been destroyed by the burning of the court houses and the records relating to titles to real estate.

To the Committee on Codes of Practice.

By Mr. Ciarlo:

House Bill 502. An Act prohibiting the practice of spirit mediumship, palmistry, card reading, astrology, seership, fortune telling, and providing a penalty therefor.

To the Committee on Criminal Law.

A message was received from the Senate announcing that it had passed House Resolution No. 26 with an amendment, to-wit:

Resolved, that House Resolution No. 26 do pass with the following amendment:

By striking out the words "1 o'clock" and inserting in lieu thereof the words "11 o'clock."

Mr. Lazarus moved that the House do concur in said Senate amendment.

Said motion was adopted and said amendment was concurred in by the House.

Ordered, that said resolution be enrolled.

Upon call of the standing committees for reports the following bills were reported:

By Mr. Hamilton, of the Committee on Municipalities:

House Bill 374. An Act to amend and re-enact Sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class, for the better government, administration and disposition and discipline of the police and fire department, and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after service of a term of years.

With the expression of opinion that same ought to pass.

By Mr. Stultz, of the Committee on Appropriations:

House Bill 434. An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

With the expression of opinion that same ought to pass.

By same:

House Bill 435. An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

With the expression of opinion that same ought to pass.

By same:

House Bill 254. An Act to amend an Act entitled, "An Act for the benefit of the Kentucky Home Society for Colored Children," approved March 19, 1910, Chapter XXXIV, pages 92 and 93 as amended by the Act entitled, "An Act to amend an Act entitled, 'An Act for the benefit of the Kentucky Home Society for Colored Children,' approved March 19, 1910." Chapter CXLV, pages 655, 666, approved March 21, 1912, increasing the annual appropriation from $10,000.00 to $15,000.00 payable annually.

Without an expression of opinion.

Mr. Richardson moved that said bill be read the first time and placed in the Calendar.

Said motion was agreed to.

By Mr. Morgan, of the Committee on Agriculture:

House Bill 404. An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per carload.

With the expression of opinion that same ought to pass.

By Mr. Billiter, of the Committee on Education No. 2.

House Bill 191. An Act empowering the Boards of Education of Graded School Districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

With the expression of opinion that same ought to pass.

By Mr. W. A. Stewart, of the Committee on Court of Appeals:

House Bill 160. An Act to amend Section 1777 of the Kentucky Statutes, Carroll's 1915 Edition, by eliminating from the last sentence in said section after the word "during," the words: "the year or years following, enough to make up such deficit;" and inserting in lieu thereof the following words: "the year or years preceding, or year or years following, enough to make up such deficit;" and re-enact the same.

With the expression of opinion that same ought to pass.

By Mr. Ciarlo, of the Committee on Circuit Courts:

House Bill 364. An Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require clerks of the Circuit Courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921, to perform thereafter all the duties required by the Trustee of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of Circuit Clerks.

With the expression of opinion that same ought to pass.

By Mr. Richardson, of the Committee on Criminal Law:

House Bill 169. An Act repealing Section No. 1159 of Carroll's Kentucky Statutes, 1915 Edition, relating to punishments for robbery and burglary, and the having in possession of tools and implements used by burglars, and re-enacting the same with certain modifications thereof.

With the expression of opinion that same ought to pass.

By same:

House Bill 200. An Act repealing Section 1159, Kentucky Statutes, Carroll's 1915 Edition, and re-enacting the same.

With the expression of opinion that same ought to pass.

By same:

House Bill 205. An Act to regulate, control and fix standard weights of corn meal, grits, hominy and corn flour, and the size of packages containing same; and to provide penalties for the violation of this Act.

With the expression of opinion that same ought to pass.

By same:

House Bill 255. An Act to amend Sections 167, 171 and 174 of Kentucky Statutes, Carroll's Edition, 1915, relating to bastardy.

With the expression of opinion that same ought to pass.

By Mr. Wash, of the Committee on Education No. 1.

House Bill 344. An Act giving to Boards of Education of any school district in this State the right to require the parents, guardian or custodian of all children between the ages of fourteen (14) and sixteen (16) years, who are not enrolled in and attending a public, private or parochial school, to cause such children to attend a continuation school, and to

require employers having children between said ages in their employment to permit them to attend such school.

With the expression of opinion that same ought to pass.

By same:

Senate Bill 21. An Act creating a County Board of Education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of county superintendent by said board, fixing his qualification, compensation and term of office and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the County Board of Education; providing for a levy of tax for common school purposes in each county, prescribing the duties of the county tax commissioner, the county court clerk; with reference to the assessment of the property subject to said tax and prescribing the duties of the County Board of Education and the fiscal court levying said tax and prescribing the duties of the sheriff in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for employment of teachers; providing for the appointment of district trustee and prescribing their duties.

With the expression of opinion that same ought to pass.

By Mr. Lawrence, of the Committee on Judiciary:

House Bill 274. An Act authorizing the various counties of this Commonwealth to impose a license tax upon dogs, for the promotion of the live stock industry and the protection of live stock and poultry from damage by dogs, and regulating the keeping of dogs and authorizing their destruction in certain cases where any county has imposed a license tax on dogs; providing for the protection of licensed dogs and for dogs temporarily imported in such counties for trial, show and breeding purposes; prescribing certain privileges

for hunting dogs and providing for the listing of dogs by the county tax commissioner in counties where such license tax is imposed, and providing a penalty for the county tax commissioner's failure to so list same; providing for the assessment of damage done by dogs and the payment thereof by the county to the owners of live stock and poultry and of damage to licensed dogs in counties where such license has been imposed; prescribing the duties of the County Court Clerk in counties where such license has been imposed; providing penalties for the violation of this Act in counties where such license has been imposed; and repealing all laws in conflict with this Act, and especially repealing all of Chapter CXII of the Acts of the General Assembly of 1918.

With the expression of opinion by majority of the committee that said bill ought to pass.

Mr. Howard offered a minority report as follows:

Said bill ought not to pass.

Said minority report was signed by Messrs. Howard, Stites and Beckham of the committee.

Mr. Howard moved to substitute the minority report for the majority report.

Upon a division of the House, said motion was lost 18 to 30.

Dr. Shields moved that said bill and amendments be tabled.

The Speaker ruled said motion out of order.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

House Bill 309. An Act providing for the forfeiture of oil and gas leases for non-payment of any rental at the time the same shall become due.

With the expression of opinion that same ought to pass.

By same:

House Bill 257. An Act to repeal Chapter LXXXIV of Kentucky Statutes, Carroll's Edition, 1915, being Sections 2591 to 2610 inclusive of said Edition, Article 1 of said Chapter relating to Master and Apprentice and Article 2 to Master and Servant.

With the expression of opinion that same ought to pass.

By same:

House Bill 429. An Act granting to women citizens the right to vote for Presidential electors, and requiring officers to perform duties with reference thereto.

With the expression of opinion that same ought to pass.

By same:

House Bill 214. An Act entitled an Act fixing the legal rate of rent in the Commonwealth of Kentucky.

With the expression of opinion that same ought not to pass.

Mr. Hudson moved that House Bill No. 214 be given its first reading and placed in the Calendar, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

By same:

House Bill 275. An Act creating a State Board of Examiners of professional engineers and architects, providing for the examination and licensing of professional engineers and architects, defining their qualifications, regulating the practice of professional engineering and architecture in the State of Kentucky and fixing penalties for violation thereof.

With the expression of opinion that same ought to pass with an amendment.

By same:

House Bill 30. An Act relating to landlord and tenant and especially to the lien created under a lease and to recovery of rent by the landlord.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

By same:

House Bill 405. An Act to amend and re-enact Section 513 of the Kentucky Statutes, relating to indexing of conveyances.

With the expression of opinion that same ought to pass.

By same:

House Bill 412. An Act to establish an Athletic Board of Control and prescribing the duties and powers of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest, and providing of penalty for violation of this Act.

With the expression of opinion that same ought to pass.

By Mr. McLellen, of the Committee on Railroads:

House Bill 400. An Act to provide for the condemnation of land by Electric Light and Power Companies.

With the expression of opinion that same ought to pass.

By same:

House Bill 382. An Act requiring Railroad Companies operating by steam or otherwise, as common carriers of passengers, to furnish separate toilets and other private conveniences for male and female passengers in all coaches wherein male and female passengers are permitted or required to be transported as passengers, in all cases where the distance over which said carrier operates shall be ten miles or more.

With the expression of opinion that same ought to pass.

By same:

House Bill 389. An Act to amend Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies and all boats and other water craft propelled by the use of oil, gasoline or other means;" and being Section 1 of an Act of the General Assembly of January 15, 1916.

With the expression of opinion that same ought to pass with an amendment by way of substitute.

By Mr. Barnes, of the Committee on Judiciary:

Senate Bill 18. An Act to amend Sub-section 7 of Section 1019-a of the Act approved March 29, 1902, entitled, "An Act to provide for stenographic reporters for courts of continuous session."

With the expression of opinion that same ought to pass.

By Mr. Smith, of the Committee on Public Roads and Highways:

House Bill 410. An Act to amend an Act of June 23, 1893, and which Act was itself amended by an Act of March, 1904, and especially amending Section 4348 of Kentucky Statutes, entitled "Passways."

With the expression of opinion that same ought to pass with an amendment.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

By Mr. Billiter, of the Committee on Education No. 2.

House Bill 246. An Act fixing the salary of the county superintendent of schools, providing for its payment and for a suitable office for the superintendent of schools.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the bill be given its first reading and placed in the Calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative and the bill was refused its first reading.

By same:

House Bill 324. An Act authorizing consolidated school districts and County Boards of Education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the bill be given its first reading and placed in the Calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative and the bill was refused its first reading.

By same:

House Bill 291. An Act repealing Sub-section 1, of Section 4521-a, Kentucky Statutes, Carroll's Edition, 1915, being the same as Section 213, of Chapter XVII of the Common School Law of 1918, and also Section 216 of the Common School Law 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the bill be given its first reading and placed in the Calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative and the bill was refused its first reading.

By Mr. Huff, of the Committee on Fish and Game:

House Bill 385. An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season, and providing penalty for the violation of this Act.

With the expression of opinion that same ought not to pass.

The Speaker stated: "Shall the bill be given its first reading and placed in the Calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative, and the bill was refused its first reading.

Mr. Kelley moved to reconsider the vote by which said bill was refused its first reading and that that motion lie on the table.

Said motion was agreed to.

Mr. Hudson moved that said bill be given its first reading and placed in the Calendar, the report of the committee to the contrary notwithstanding.

Said motion was agreed to.

Then the bill was read at length the first time and placed in the Calendar.

Mr. Geohringer moved that House Bill No. 328 be made a special order for Thursday, February 26th, at 11 A. M.

Said motion was agreed to.

Dr. Gossett moved that the Speaker appoint a committee of three members of the House to investigate Hazelwood Sanitarium in Jefferson County, Kentucky.

Said motion was adopted.

Pursuant to said motion, the Speaker, Mr. Bosworth, appointed the following committee:

Dr. Gossett, Dr. Welch and Dr. Gamblin.

Mr. Welch moved that the Calendar be now read and that the bills therein be read the second time by the title only.

Said motion was adopted.

Then the House took up for consideration from the Calendar bills of the following titles, viz: Senate Bill 3. An Act providing for the separate confinement of the criminal insane, defining such term and providing for the transfer of same to an institution set apart therefor, of those who may be adjudged to be criminally insane.

House Bill 419. An Act to repeal and re-enact Section 1112 Kentucky Statutes relating to change of venue in criminal cases.

House Bill 329. An Act to repeal and re-enact Section 2 of an Act approved March 29, 1918, entitled An Act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

House Bill 143. An Act to amend and re-enact Section 3513 of Carroll's Edition of the Kentucky Statutes.

House Bill 128. An Act to regulate the transportation of nitro-glycerine, dynamite or other high explosives over the highways of this Commonwealth, and providing penalties for violations thereof.

House Bill 388. An Act entitled An Act to amend Section 1259, Chapter XXXVI Carroll's Edition of Kentucky Statutes of 1909 by striking from the second line thereof the word "enclosed" relating to misdemeanor and offense against property.

Senate Bill 23. An Act to amend and re-enact Section 561 Kentucky Statutes, Carroll's Edition, 1915, relating to the termination of the existence of corporations, by providing that declaration of such termination shall be filed in the office by the Secretary of State.

House Bill 342. An Act to repeal Section 3484 of the Kentucky Statutes, Carroll's Edition, 1915, and to enact the following in lieu thereof.

House Bill 358. An Act to amend an Act entitled "An Act to amend Section 6 of the Act approved March 23, 1910, entitled 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third, and fourth class, and to enable Boards of Education or Boards of School Trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy" being Chapter CXXI of the Acts of 1916; and also to amend Sub-Section 7 of Section 2978c of the Kentucky Statutes (Edition of 1915) relating to the duties of truant officers.

House Bill 350. An Act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent, and other children; and providing for the creation and maintenance of a board to establish and maintain such institution, and defining the powers and duties of said board; and permitting, in such counties, a consolidation, under such board, of municipal and county institutions engaged in such work; and providing for the conveyance to, and the acceptance by, such board, of property for the use of such board in carrying out the purposes of this Act; and authorizing the levy and collection of taxes to raise funds for the purpose of this Act; and repealing the Act approved March 15, 1912, entitled, "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this Act;" and repealing the Act approved March 9, 1854, creating the board of managers of the Louisville House of Refuge and all Acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the Act approved March 3, 1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, and for other related purposes.

House Bill 284. An Act to enable cities of the first class to construct additions and make more perfect their systems for the disposition of sewage, and to amend and re-enact Section 14 of an Act entitled, "An Act to enable cities of the first class to construct an extension to their systems for the disposition of sewage," approved March 18, 1912.

House Bill 201. An Act to amend Section 4821, Kentucky Statutes, Carroll's Edition, 1915, relating to weights and measures.

House Bill 421. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

House Bill 352. An Act prescribing the duties of the Clerk of the State Fiscal Court, and providing compensation for his services required hereinunder.

House Bill 351. An Act to amend and re-enact Section 112 and to repeal Section 116, of an Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893.

House Bill 23. An Act to amend Section 356 of the Kentucky Statutes relating to the fees allowed jailers in counties having within their boundaries cities of the first class.

House Bill 355. An Act providing the manner in which judges of the Court of Appeals of the Commonwealth of Kentucky and judges of the Circuit Courts of the Commonwealth of Kentucky are to be nominated and elected, and making it unlawful for any political party or organization to nominate any person as a candidate for judge of the Court of Appeals or for Circuit Judge, and making it unlawful for any candidate for said offices to seek or accept the nomination for such office as the candidate of any political party or organization, and prescribing the manner in which the names of candidates for said offices are to be placed upon the official general election ballot.

House Bill 354. An Act to amend and re-enact Section 1488, Kentucky Statutes, Carroll's 1915 Edition, and also to amend and re-enact Sections 1 and 2 of Chapter CXXXVI of the Acts of 1918, relating to registration of voters in cities of the first, second, third and fourth classes.

House Bill No. 397. An Act requiring County Superintendents of each county to publish in a county paper published in the county the settlements made with the County Judges as provided by Section 4409, Kentucky Statutes, Carroll's Edition, which publication must contain a statement of all moneys received from every source for what paid, to whom paid and what amounts remain in their hands.

House Bill No. 20. An Act to require justices of the peace in counties having cities of the first class to provide and maintain a suitable room for the transaction of public business and authorizing the payment of the expense thereof out of the county levy.

House Bill No. 12. An Act to repeal Section 2276 of John D. Carroll's Volume 3, 1918 Supplement, Kentucky Statutes, and to repeal Section 2260 of John D. Carroll's 1915 Kentucky Statutes, and re-enact Section 2260 John D. Carroll's Kentucky Statutes, relating to the pay of jurors in circuit and inferior courts.

House Bill No. 204. An Act to amend and re-enact Section 2119, Kentucky Statutes, Carroll's 1915 Edition, relating to trials in divorce cases.

House Bill No. 363. An Act empowering Fiscal Courts to require any person, corporation, company, partnership or association owning a railway over which there are operated trains propelled by steam, motor or electric power, to erect and maintain an automatic alarm-bell, automatic gates or other mechanical devices within their respective territorial jurisdictions at any highway or public road crossing at which the public safety may in the opinion of said courts require.

House Bill No. 370. An Act relating to railroads; providing for the better protection of the traveling public, transportation of property and the employees of railroads.

House Bill No. 328. An Act making it a misdemeanor to graze any kind of live stock on any portion of the grounds surrounding the State Capitol, and owned by the State, and fixing the punishment therefor.

House Bill No. 380. An Act to provide the pupils of the Public Schools of Kentucky with free textbooks and providing for rules governing the use and distribution and care thereof and providing for the payment thereof.

House Bill No. 265. An Act to repeal, amend and reenact Section 1847, Kentucky Statutes, Carroll's edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 66. An Act prohibiting betting or wagering on horse races, other than at licensed race tracks, or within enclosures during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose and prescribing a penalty therefor.

House Bill No. 131. An Act to amend Section 4238, Kentucky Statutes, relative to Tax on Law Process.

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles.

Ordered that said bills be placed in the Orders of the Day.

Mr. Welch moved that the House do now adjourn.

Said motion was adopted.

Then the House at 2:35 P. M., pursuant to said motion and to the joint resolution adopted by the two Houses of the General Assembly today, adjourned to reconvene at 11 o'clock A. M., Tuesday, February 24th.

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TUESDAY, FEBRUARY 24, 1920.

The House was called to order by the Speaker at 11:00 A. M.

The House was opened with prayer by the Rev. J. C. Pelgrim, Pastor of the First Presbyterian Church, of the city of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

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|---|---|---|
| Sidney Alfrey | R. O. Huntsman | W. P. Scott |
| L. H. Ballard | J. W. Johnson | E. E. Shannon |
| H. H. Barnes | Henry Kaufman | Dr. B. F. Shields |

W. T. Beckham
J. M. Billiter
W. M. Boling
Jo F. Bosworth
Rodney G. Bryson
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
J. M. Foster
Dr. T. H. Gamblin
J. W. Geveden
Dr. W. L. Gossett
E. C. Hardin
Talbert Holliday
D. J. Howard
A. R. Hudson
Adam W. Huff
Robt. Humphreys
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
B. F. Reynolds
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
H. G. Skiles
S. G. Smith
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
G. C. Waggoner
A. M. Wash
J. S. Webb
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
V. M. Williamson

Present....81

On motion of Mr. Roth the reading of the Journal for Friday, February 20, was dispensed with and the Journal approved.

The following reception committee for Attorney General A. Mitchell Palmer, who will address the General Assembly tomorrow, was announced, viz.:

PALMER RECEPTION COMMITTEE.

Governor Edwin P. Morrow, Lieutenant-Governor Thruston Ballard.

(From the Senate.)

Senators Clem S. Nunn, White L. Moss, L. M. Smith, J. L. Early, C. M. Harriss, H. M. Brock.

(From House of Representatives.)

Representatives J. F. Bosworth, H. C. Duffy, J. Lazarus, E. C. Hardin, H. C. McLellen, James H. Thompson.

Judge W. E. Settle, Judge Flem D. Sampson, General Percy Haley, Mr. S. J. Shackelford, Mr. Graham Vreeland, Judge R. L. Stout, Attorney-General Charles I. Dawson.

Joint Session, February 25, 11:30 A. M.

The following bills were delivered to the committees to which they had been referred:

House Bills Nos. 418, 427, 426, 424, 425, 483, and Senate Resolution No. 8.

The following bills were sent to the Senate: House Bills Nos. 227, 237, 115, 236, 314, and substitute for 181.

Upon a call of the counties and legislative districts for the introduction of bills the following bills were introduced, ordered to be printed, and referred to the committees indicated, viz.:

By Mr. Caudel:

House Bill No. 503. An Act to regulate and conserve the developing and operating in this Commonwealth of oil and gas leases and providing how they shall be operated as to offset wells and number of wells on the acreage, and providing damages and penalties for failure so to comply.

To Committee on Mines and Mining.

By Mr. Caudel:

House Bill No. 504. An Act to standardize, validate, define and enforce contracts and leases for lands leased for oil and gas purposes and to provide for how and when offset wells shall be drilled.

To Committee on Mines and Mining.

By Dr. Ryan:

House Bill No. 505. An Act to amend Section 2992 of the Kentucky Statutes, Carroll's Edition, Vol. 3, relating to cities of the first class, providing for appeal from the action of the Board of Equalization.

To Committee on Municipalities.

By Mr. Murphy:

House Bill No. 506. An Act to amend Section 2525 Kentucky Statutes, Carroll's 1915 Edition, relating to limitation of actions.

To Committee on Codes of Practice.

By Mr. Murphy:

House Bill No. 507. An Act to amend Section 540, Kentucky Statutes, Carroll's 1915 Edition, relating to corporations.

To Committee on Corporate Institutions.

By Mr. Hudson:

House Bill No. 508. An Act to amend and re-enact Subsection 1 of Section 1020; Sub-section 4 of Section 1020; Subsection 6 of Section 1020 and Sub-section 7 of Section 1020, of the Kentucky Statutes, Carroll's 1915 Edition, and to establish a Domestic Relations Division of the Chancery Branch of Circuit Courts having seven judges, this division to have

jurisdiction of all actions of special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending these said Acts.

To Committee on Juvenile Courts and Children's Home.

By Mr. Stewart:

House Bill No. 509. An Act to prohibit owners or claimants of land under Junior Patents being defeated in their rights by pleading of Old Virginia or Kentucky Land Grants or Patents.

To Committee on Kentucky Statutes.

By Mr. Lawrence:

House Bill No. 510. An Act to abolish the office of Hotel Inspector and to abolish the salary allowed by law to such officer.

To Committee on Kentucky Statutes.

By Mr. Minor:

House Bill No. 511. An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

To Committee on Banks and Banking.

Mr. Lazarus offered the following resolution, to-wit:

House Resolution No. 27. Providing for Children's Code Commission.

Said resolution reads as follows, viz.:

House Joint Resolution No. 27.

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*:

That the Governor, within thirty days after the passage of this resolution, shall appoint a Commission, to be known as "The Children's Code Commission" and composed of five members, Citizens of the State of Kentucky, who shall serve without compensation.

The duties of said Commission shall be to make a survey of the entire field of Child Welfare in the Commonwealth of Kentucky, and make report of its findings to the Governor and the General Assembly of the Commonwealth of Kentucky, prior to or upon the convening of the next regular session of the Legislature.

Said Commission shall have power to summon witnesses and compel their attendance, and shall have such other powers as may be necessary to such investigation.

The expenses of said investigation shall not be a charge upon the State of Kentucky:

(Signed), Joseph Lazarus.

Mr. Lazarus moved to suspend the rules and that said resolution be placed upon its passage.

Said motion was agreed to.

Said resolution was adopted.

Mr. VanHoose offered the following resolution, viz.:

House Resolution No. 28. A joint resolution asking the Attorney General of the State to report results of litigation by the State against the State Board of Health.

Said resolution reads as follows, viz.:

House Joint Resolution No. 28.

Whereas, Pursuant to the report of the State Inspector and Examiner in which it was stated that a sum approximating sixty-two thousand dollars was illegally expended by the State Board of Health, a suit was instituted to compel J. N. McCormack, secretary of the Board, to reimburse the state for this amount, and

Whereas, To this date no settlement has been made to the State Auditor or Treasurer,

Be it Resolved, by the Senate and House, that the Attorney General shall place before them a report of this litigation, and give the reasons for the continued delay in recovering this amount to the Treasury and state whether or not, it is possible under the law to continue an effort to recover this amount in whole or in part.

Mr. VanHoose moved to suspend the rules and that said resolution be placed upon its passage.

Said motion was agreed to.

Said resolution was adopted.

A message was received from the Senate announcing that it had passed Senate Bill No. 53, entitled:

An Act to amend Section 965, Kentucky Statutes, fixing the time for holding circuit courts in this Commonwealth.

Ordered, that said bill be printed for the House and referred to the Committee on Circuit Courts.

Upon a call of the standing committees for reports the following bills were reported, viz.:

By Mr. Roth, of the Committee on Municipalities:

House Bill No. 346. An Act to amend and re-enact Section 911 of the Kentucky Statutes, Carroll's Edition, 1915, relating to official indexers.

With the expression of opinion that same ought to pass.

By same:

House Bill No. 402. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, Chapter CXXII, page 428, Acts of 1912, entitled, "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

With the expression of opinion that same ought to pass.

By same:

House Bill No. 403. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, Chapter CXII, page 372, Acts of 1912, entitled, "An Act to repeal 'An Act providing for the creation, control, and disposition

of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class;" said Sections 3 and 4 of said Act being Sub-sections 3 and 4 of Section 2872-a, Kentucky Statutes, Carroll's Edition of 1915.

With the expression of opinion that same ought to pass.

By Mr. Huntsman, of the Committee on Mines and Mining:

House Bill No. 95. An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort.

With the expression of opinion that same ought to pass, with an amendment by way of substitute therefor.

By same:

House Bill No. 52. An Act to require corporations, associations, partnerships or individuals employing ten or more persons, and issuing scrip or check, to redeem the same in lawful money of the United States upon the third Monday in each calendar month.

With the expression of opinion that same ought to pass.

By Mr. Huntsman, of the Committee on Municipalities:

House Bill No. 203. An Act to amend and re-enact Section 1061-a of the Kentucky Statutes, the same being an Act of the General Assembly of the Commonwealth of Kentucky, approved March 18, 1914, entitled, "An Act to provide a stenographer for the county judge of counties in the Commonwealth containing a population of two hundred thousand

or over," this amendment providing for a stenographer for the county judge of other counties.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

House Bill No. 24. An Act to amend Section 1772 of the Kentucky Statutes concerning salaries of deputy jailers.

With the expression of opinion that same ought to pass.

By Dr. Ryans, of the Committee on Racing Commission:

House Bill No. 467. An Act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax to the State of Kentucky, or any county, city, town, municipality or other political sub-division thereof; and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings.

With the expression of opinion that same ought to pass.

By Dr. Yazell, of the Committee on Public Health:

Senate Bill No. 24. An Act to amend Section 2625 of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll.

With the expression of opinion that same ought to pass.

By Mr. Ciarlo, of the Committee on Circuit Courts:

House Bill No. 318. An Act to fix the regular salaries of circuit judges in addition to their compensation as special judges.

Without expression of opinion.

Mr. Pryse moved that said bill be read the first time and placed in the Calendar.

Said motion was agreed to.

By same:

House Bill No. 207. An Act for the benefit of the clerks of the circuit courts of this Commonwealth in counties having a population of less than 30,000 and prescribing a salary therefor and the method of payment of same.

With the expression of opinion that same ought to pass.

By same:

House Bill No. 231. An Act to amend Section 4642 of Carroll's Kentucky Statutes, relating to fees of official court reporters.

With the expression of opinion that same ought to pass.

By Mr. Neel, of the Committee on Revenue and Taxation:

House Bill No. 366. An Act to repeal and reenact Sections 4223-b-1 and 4223-b-2 and 4223-b-3 and 4223-b-4, Kentucky Statutes, Carroll's 1918 Edition, Volume 3, relating to race track license.

With the expression of opinion that same ought to pass.

By Mr. McLellen, of the Committee on Railroads:

House Bill No. 422. An Act to amend Section 3 of Chapter I of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

With the expression of opinion that same ought to pass with an amendment.

By Mr. Neel, of the Committee on Revenue and Taxation:

House Bill No. 353. An Act to grant immunity to all persons who have failed to assess intangible property in previous years provided such property is assessed by the owners thereof for taxation as of July 1, 1920.

With the expression of opinion that same ought to pass.

By same:

House Bill No. 2. An Act to amend and re-enact Section 4019-a-10 Kentucky Statutes, Carroll's Edition 1918, relating to Taxation.

Without an expression of opinion.

Mr. Geveden moved that said bill be given its first reading and placed in the calendar.

Said motion was agreed to.

By same:

House Bill No. 323. An Act relating to vehicles; regulating their use and operation upon the public highways in this Commonwealth; providing for the registration of automobiles, and the registration of operators thereof; the method of registrations; to prevent illegal traffic therein; providing penalties for the violations of provisions of the act, and repealing any and all conflicting laws:

With the expression of opinion that same ought to pass with an amendment.

By Mr. Pryse, of the Committee on Retrenchment and Reform:

House Bill No. 376. An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio River and its Kentucky

tributaries belonging to or controlled by the State of Kentucky; and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this act.

With the expression of opinion that same ought to pass.

Mr. Johnson moved to recommit said bill to the Committee on Fish and Game.

Said motion was lost.

By Mr. W. A. Stewart, of the Committee on Criminal Law:

House Bill No. 359. An Act requiring the teaching in public schools of humane treatment of animals.

With the expression of opinion that same ought to pass.

Mr. Nelson moved that today's session be extended indefinitely.

Said motion was agreed to.

Mr. Lazarus moved that the House recess today from 12:30 P. M., to 1:30 P. M.

Said motion was agreed to.

The reports of standing committees continued, as follows, viz:

By Mr. Cain, of the Committee on Immigration and Labor:

House Bill No. 135. An Act to protect the health, morals and welfare of women and minors employed in industry by establishing a minimum wage commission and providing for the determination of minimum wages for women and minors.

With the expression of opinion that same ought to pass.

By Mr. Minor, of the Committee on Banks and Banking:

House Bill No. 381. An Act relating to interest and usury, and defining the maximum contract rate of interest which shall be lawful and amending Sections 2218 of Carroll's Kentucky Statutes.

With the expression of opinion that same ought to pass.

By Mr. Waggoner, of the Committee on Appropriation:

House Bill No. 424. An Act to incorporate the Kentucky State Horticultural Society, to define its powers and duties and appropriate $5,000 for the execution of its purposes.

With the expression of opinion that same ought to pass.

By Mr. Neel, of the Committee on Revenue and Taxation.

House Bill No. 129. An Act relating to Revenue and Taxation.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time by their titles and ordered to be placed in the calendar.

A message was received from the Senate announcing that it had passed the following, viz:

Senate Bill No. 61. An Act to amend and re-enact Section 1763 of Kentucky Statutes, Carroll's Edition 1915, entitled "Salary of Deputies—Maximum Allowed, and increasing the salaries of such deputies."

Ordered, that said bill be printed and referred to the Committee on Public Offices.

Senate Bill No. 53. An Act to amend Section 965 Kentucky Statutes, fixing the time for holding the Circuit Courts in this Commonwealth.

Ordered, that said bill be printed and referred to the Committee on Circuit Courts.

The reports of standing committees were continued as follows, viz:

By Mr. Huntsman, of the Committee on Mines and Mining:

House Bill No. 96. An Act to provide for the safety of persons employed in and about coal mines and to provide for the examinations of persons seeking employment therein in order that only competent persons may be employed as miners, and to create a board of examiners for this purpose and to provide a penalty for the violation of the same.

With the expression of opinion that same ought not to pass.

The Speaker stated the question; "Shall the bill be given its first reading and placed in the calendar the report of the Committee to the contrary notwithstanding?"

Said question was decided in the negative.

The first reading of the bill was refused.

By same:

House Bill No. 71. An Act to regulate the appointment of persons to the office of Assistant Inspector of mines in this Commonwealth.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the bill be read the first time and placed in the calendar the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bill was refused its first reading.

By Mr. Neel, of the Committee on Revenue and Taxation:

House Bill No. 249. An Act to regulate and fix the charges on storage and custodianship of distilled spirits held in bonded warehouses.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: "Shall the bill be given its first reading and placed in the calendar the report of the Committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bill was refused its first reading.

By same:

House Bill No. 46. An Act to amend and re-enact Sections 2739-g-2, 2739-g-3, 2739-g-5, 2739-g-6, 2739-g-14, Kentucky Statutes relating to Motor Vehicles and providing for the registration of same with County Clerks instead of with the Secretary of State, and providing that each county shall have the use of its own license fees for the county road fund.

With the expression of opinion that same ought not to pass.

On motion of Mr. Hardin the Speaker stated the question: "Shall the bill be given its first reading and placed in the calendar the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bill was refused its first reading.

Mr. Lazarus moved to reconsider the vote by which the first reading of House Bill No. 391 was refused.

Said motion was agreed to.

Said bill is entitled as follows, viz:

An Act to amend and re-enact Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915.

Mr. Lazarus moved that said bill be read the first time and placed in the calendar.

Said motion was agreed to.

Then said bill was read at length the first time by its title and placed in the Calendar.

Mr. VanHoose moved that Senate Bill No. 66 be made a Special Order for Thursday, February 26th, at 10:30 A. M.

Said motion was agreed to.

Mr. Murphy moved that the vote by which said bill was made a Special Order be reconsidered and that that motion lie on the table.

Said motion was adopted.

At 12:30 P. M. the House took a recess until 1:30 P. M.

TUESDAY, FEBRUARY 24, 1920.

AFTERNOON SESSION.

The House reconvened at 1:30 P. M.

Dr. Gossett moved to suspend the rules and to hear an address by Dr. Henry Goddard, of Columbus, Ohio.

Said motion was agreed to.

Dr. Goddard delivered an interesting address in regard to the Kentucky Institute for the Feeble-Minded.

Mr. Hudson moved that House Bill No. 351 be taken up for immediate consideration.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 351, entitled:

House Bill No. 351. An Act to amend and re-enact Section 112 and to repeal Section 116, of an Act entitled "An Act for the Government of Cities of the First Class" approved July First, One Thousand, Eight Hundred and Ninety Three.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 112 of an act entitled "An act for the government of cities of the first class," approved July 1, 1893, and being Section 2897, Kentucky Statutes, Carroll's Edition 1915 which reads as follows:

"There shall be appointed by the mayor, with the approval of the board of aldermen, in the month of December succeeding his election, for four years, a comptroller, who

shall exercise a general supervision over the fiscal affairs of the city, the collection and disbursement of all revenues and moneys of the city. He shall see that proper rules and regulations are prescribed and observed in relation to all accounts, settlements and reports connected with the fiscal concerns of the city; that no liability is incurred or expenditure made from the treasury without due authority of law; and that appropriations are not overdrawn." Be amended and re-enacted so that said section shall, when so amended and re-enacted read as follows:

"There shall be appointed by the mayor, with the approval of the board of aldermen, in the month of December succeeding his election, for four years, a comptroller, who shall exercise a general supervision over the fiscal affairs of the city, the collection and disbursement of all revenues and moneys of the city. He shall see that proper rules and regulations are prescribed and observed in relation to all accounts, settlements and reports connected with the fiscal concerns of the city; that no liability is incurred or expenditure made from the treasury without due authority of law; and that appropriations are not overdrawn. That in addition thereto he shall be the general accountant of the city, and as such it shall be his duty to receive and preserve in his office all accounts, vouchers, documents, and papers relating to the accounts or contracts of the city, its debts, revenues and other fiscal accounts, and to adopt a proper mode and manner of bookkeeping. He shall state and render all accounts kept or filed in his office between the city and any other person or body corporate, except when otherwise provided by law. He shall examine, adjust and audit all unsettled accounts, claims and demands against the city, for the payment of which any money may be drawn from the city treasury; and, after having examined the same, with all accompanying vouchers and documents, shall certify thereon the balance or true state of such claim or demand, and draw his warrant on the treasury in payment thereof. But no such claim or demand, or any part thereof shall be audited against the city unless it is authorized by law or ordinance, and is in proper and fully itemized form, and unless the amount required for the pay-

ment of the same shall have been appropriated for that purpose by the general council. He shall have power to administer oaths, may require a settlement of accounts, to be verified by affidavit, and shall keep the accounts of the city, general and special, in a systematic and orderly manner."

§ 2. That Section 116 of an Act entitled "An Act for the government of cities of the first class," approved July 1, 1893, and being Section 2901, Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby repealed.

§ 3. This act shall take effect from and after its passage and shall not apply to the present Auditor or Controller in cities of the first class during their present terms of office, and his powers and duties shall remain, during that period, as now provided by law.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | J. M. Knott | S. G. Smith |
| L. H. Ballard | Dr. S. D. Laughlin | H. A. Spillman |
| H. H. Barnes | Joseph Lazarus | R. Lee Stewart |
| J. M. Billiter | Elmer Lusby | Wm. A. Stewart |
| W. M. Boling | R. C. Marcum | John T. E. Stites |
| J. F. Carr | I. S. Mason | Frank L. Strange |
| T. L. Caudel | A. J. McCandless | T. R. Stultz |
| B. L. Cox | H. C. McLellen | John W. Swope |
| J. S. Cruse | Harry J. Meyers | J. Mack Thompson |
| P. A. Day | John T. Murphy | C. B. Truesdell |
| H. N. Dean | Estill W. Neel | John L. Trumbo |

| | | |
|---|---|---|
| E. C. Hardin | Chas. A. Nelson | J. Wood Vance |
| Talbert Holliday | T. P. Oliver | Fred C. VanHoose |
| D. J. Howard | T. C. Pryse | Daniel Vose |
| A. R. Hudson | B. F. Reynolds | G. C. Waggoner |
| Adam W. Huff | Sherman Robbins | A. M. Wash |
| J. W. Johnson | Lee Rogers | J. S. Webb |
| Henry Kaufman | B. A. Roth | V. M. Williamson |
| Frank Kennard | Chas. R. Scott | —58 |
| W. L. Kimbrough | W. P. Scott | |

*Resolved,* That the title thereof be as aforesaid.

Mr. Hudson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Roth moved to suspend the rules and take up for immediate consideration House Bill No. 29.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 29.

House Bill No. 29. An Act concerning dwelling houses in cities of the first, second, third and fourth classes and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control, and regulation, and providing penalties for violation of this Act.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

ARTICLE I.—GENERAL PROVISIONS.

§ 1. Short Title.—This act shall be known as the Housing Act.

§ 2. Definitions.—Certain words and terms in this Act are defined for the purpose thereof as follows:

(1) Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular; the word "person" includes a corporation as well as a natural person.

(2) (a) A "dwelling" is any house or building or portion thereof which is occupied in whole or in part as the home, residence or sleeping place of one or more human beings, either permanently or transiently. For the purposes of this Act dwellings are divided into three classes; (a) private dwellings, (b) two-family dwellings, (c) multiple dwellings.

(b) A "private dwelling" in a dwelling occupied by but one family alone.

(c) A "two-family dwelling" is a dwelling occupied by but two families alone.

(d) A "multiple dwelling" is a dwelling occupied otherwise than as a private dwelling or a two-family dwelling.

All multiple dwellings are dwellings, and for the purposes of this Act are divided into two classes, viz.: Class A and Class B.

Class A—Multiple dwellings of Class A are dwellings which are occupied more or less permanently for residence purposes by several families and in which the rooms are occupied in apartments, suites, or groups. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, studio apartments, duplex apartments, kitchenette apartments, and all other dwellings similarly occupied whether specifically enumerated herein or not.

Class B—Multiple dwellings of Class B are dwellings which are occupied, as a rule, transiently, as the more or less temporary abiding place of individuals who are lodged, with or without meals, and in which as a rule, the rooms are occupied singly. This class includes hotels, lodging houses, boarding houses, furnished room houses, lodgings, club houses, convents, asylums, hospitals, jails, and all other dwellings similarly occupied whether specifically enumerated herein or not.

(3) A "hotel" is a multiple dwelling of Class B in which persons are lodged for hire and in which there are more than fifty sleeping rooms; a public dining room for the accommodation of at least fifty guests, and a general kitchen.

(4) A "rear yard" is an open, unoccupied space on the same lot with a dwelling, between the extreme rear line of the lot and the extreme rear line of the house. A yard between the front line of the house and the front line of the lot is a "front yard." A yard between the side line of the house and the side line of the lot and which extends from the front line or front yard to the rear line of the lot or to the rear yard is a "side yard."

(5) A "court" is an open, unoccupied space, other than a yard, on the same lot with a dwelling. A court not extending to the street or front or rear or side yard is an inner court. A court extending to the street or a yard is an outer court.

(6) A "shaft" is an open, unoccupied space other than a yard or court and used for ventilation, light, elevator, dumb waiter or any other purpose. For the purposes of this Act, shafts are designated as inner shafts or outer shafts, same as courts.

(7) A "public hall" is a hall, corridor or passage way not within the exclusive control of one tenant or family.

(8) A "stair hall" is a public hall and includes the stairs, stair landings and those portions of the building through which it is necessary to pass in going between any entrance and an apartment floor or the roof.

(9) A "basement" is a story partly underground but having at least one-half of its height above the curb level, and also one-half of its height above the highest level of the adjoining ground. A basement if not occupied for living purposes by other than the janitor or his family shall not be counted as a story.

(10) A "cellar" is a story having more than one-half of its height below the curb level, or below the highest level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement.

(11) An "attic" or story in a sloping roof, if not occupied for living purposes, shall not be counted as a story.

(12) A "fireproof dwelling" is one the walls of which are constructed of brick, stone, cement, iron or other hard, incombustible material, and in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, cement, iron or other hard, incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings or ceilings. But this definition shall not be construed as prohibiting elsewhere than in the stair halls and public halls, the use of wooden flooring on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails, door and window frames, doors, sash and inside trimmings.

(13) A "wooden building" is a building of which the exterior walls or a portion thereof are of wood. Court walls are exterior walls.

(14) By a "corner lot" as used in this Act, is meant a lot abutting on two intersecting streets, or a street and an intersecting highway or public alley not less than twenty feet wide measured between the property lines. A lot other than a corner lot is an "interior lot."

(15) The word "nuisance," in this Act, shall be held to embrace a public nuisance, as known at common law or in equity jurisprudence, and it is hereby further enacted that whatever is dangerous to human life or detrimental to health in, under, over, around or about a dwelling; whatever dwelling or part thereof, is overcrowded with occupants, or is not provided with adequate ingress and egress to and from the same, or the apartments thereof; whatever dwelling, or part thereof, is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted in reference to the intended or actual use; and whatever renders the air or human food or drink therein unwholesome, are also severally, in contemplation of this Act, nuisances; and all such nuisances are hereby declared illegal.

(16) The word "shall" is always mandatory, and not directory, and denotes that the house shall be made and main-

tained, in all respects, according to this Act, as long as it continues to be a dwelling.

(17) Wherever the words "department of buildings," "health officer," "mayor," or "city treasury" occur in this Act, they shall be construed as if followed by the words "of the city of the class in which the dwelling is situated." Wherever the words "health officer" occur in this Act, they shall be construed as referring to the health officer having jurisdiction or such other appropriate public official as the mayor may designate.

The term "building department" shall embrace the department and the executive head thereof specially charged with the execution of laws and ordinances relating to the construction of buildings. Wherever the words "occupied" or "used" are employed in this Act, such words shall be construed as if followed by the words "or is intended, arranged, designed, built, altered, converted to, rented, leased, let, or hired out, to be occupied or used."

Wherever the words "dwelling," "two-family dwelling," "multiple dwelling," "building," house," premises," or "lot," are used in this Act, they shall be construed as if followed by the words "or any part thereof."

Wherever the words "city water" are used in this Act, they shall be construed as meaning any public supply of water through street mains; and wherever the words "public sewer" are used in this Act, they shall be construed as meaning any part of a system of sewers that is used by the public, whether or not such part was constructed at the public expense.

Wherever the word "street" is used in this Act, it shall be construed as including any public alley twenty feet or more in width.

"Approved fireproof material" means as set forth by ordinances or if not so determined, as approved by the building department, or such other department or public official as the mayor may designate.

(18) The "height" of a dwelling is the perpendicular distance measured in a straight line from the curb level, or from the finished grade line of the lot, where such grade is higher or lower than the curb, to the highest point of the roof

beams in the case of flat roofs, and to the average height of the gable or hip in the case of high-pitched roofs, the measurements in all cases to be taken through the center of the facade of the house. Where a street adjacent to or ground immediately surrounding a dwelling varies, the mean average grade of such street or ground shall be regarded as the grade or level within the meaning of this Act. Where a building is on a corner lot and there is more than one grade or level, the measurements shall be taken through the center of the facade on the street having the greatest grade.

(19) "Supplementary windows" are windows added in addition to those required by the provisions of this Act, and which need not, therefore, comply therewith.

(20) The words "business purposes" as used in this Act shall include all purposes other than living purposes.

(21) An "alcove" is a recess connected with or at the side of a larger room. The floor of such alcove shall be counted as a part of the floor area, and its cubic contents as a part of the cubic contents of the room with which it is connected.

(22) Where a building is erected or is to be erected on a corner lot, the owner may designate what he intends to regard as the rear of such house or lot and shall treat the building and lot for all purposes mentioned herein accordingly.

(23) A "habitable room" as used in this Act is a room which can be used for sleeping or living purposes, and does not include such entry halls, closets, pantries, kitchens, kitchenettes, or store rooms which by reason of their size or arrangement ventilation or light cannot be used for sleeping or living rooms for any considerable period of the day or night.

§ 3. Buildings Converted or Altered.—A building not a dwelling, if thereafter converted or altered to such use shall thereupon become subject to all the provisions of this Act relative to dwellings hereafter erected. A dwelling of one class if hereafter altered or converted to another class shall thereupon become subject to all the provisions of this Act relative to such class.

§ 4. Alterations and Change in Occupancy.—No dwelling hereafter erected shall at any time be altered so as to be in violation of any provision of this Act. And no dwelling erected prior to the passage of this Act shall at any time be altered so as to be in violation of those provisions of this Act applicable to such dwelling. If any dwelling or part thereof is occupied by more families than provided in this Act, or is erected, altered or occupied contrary to law, such dwelling shall be deemed an unlawful structure, and the health officer may cause such dwelling to be vacated. And such dwelling shall not again be occupied until it, or its occupation, as the case may be, has been made to conform to the law.

§ 5. Dwellings Damaged.—If a dwelling be damaged by fire or other cause to the extent of one-half or more of its original value, exclusive of the value of the foundations, such dwelling shall not be repaired or rebuilt except in conformity with the provisions of this Act relative to dwellings hereafter erected.

§ 6. Dwellings Moved.—If any dwelling be hereafter moved from one lot to another, it shall thereupon be made to conform to all the provisions of this Act relative to dwellings hereafter erected.

§ 7. Sewer Connections and Water Supply.—The provisions of this Act with reference to sewer connections and water supply shall be deemed to apply only where connection with a public sewer and with public water mains is or becomes reasonably accessible. All questions of the practicability of such sewer and water connections shall be decided by the health officer. Where sewer connections and water supply are not accessible, the special provisions as hereinafter contained shall apply.

§ 8. Minimum Requirements—Law Not to be Modified.—The provisions of this Act shall be held to the minimum requirements adopted for the protection of health, welfare and safety of the community. Nothing herein contained shall be deemed to invalidate existing ordinances or regulations of any city of the first, second, third or fourth class, or the board of health or other public officials having jurisdiction, of any such city imposing requirements higher than the minimum

requirements laid down in this Act relative to light, ventilation, sanitation, fire prevention, egress, occupancy, maintenance and uses for dwellings; nor be deemed to prevent any such city or the board of health or other public officials having jurisdiction, of any such city from enacting and putting in force from time to time ordinances and regulations imposing requirements higher than the minimum requirements laid down in this Act; nor shall anything herein contained be deemed to prevent such cities, or the board of health or other public officials having jurisdiction, of any such city from prescribing for the enforcement of such ordinances and regulations, remedies and penalties similar to those prescribed herein. And every such city, or the board of health or other public officials having jurisdiction, of any such city is empowered to enact such ordinances and regulations and to prescribe for their enforcement. No ordinance, regulation, ruling or decision of any municipal body, officer or authority, or the board of health of any such city shall repeal, amend, modify or dispense with any of the said minimum requirements laid down in this Act.

§ 9. State Board of Health.—The State Board of Health shall have the power to examine into the enforcement of this act in each city. Whenever required by the Governor it shall make such an examination and shall report the results thereof to the Governor within the time prescribed by him.

§ 10. Time for Compliance.—All improvements specifically required by this act upon dwellings erected prior to the date of its passage shall be made within one year from said date, or at such earlier period as may be fixed by the health officer.

## ARTICLE II. DWELLINGS HEREAFTER ERECTED.

### TITLE I.—LIGHT AND VENTILATION.

§ 11. Height.—No dwelling hereafter erected shall exceed in height one and one-half times the width of the widest street upon which it abuts, nor in any case shall it exceed one hundred and twenty-five feet in height. Such width of street shall be measured from the front line of the building as constructed to the opposite property line.

§ 12. Percentage of Lot to be Occupied.—No dwelling hereafter erected shall occupy a greater percentage of the area of the lot than as follows: In the case of interior lots, not more than seventy per cent; in the case of corner lots the streets adjacent to which are twenty or more feet wide, not more than eighty per cent. If a public alley ten feet or more in width, measured between the property lines, lie along a third side, the area of so much of said alley as lies along the width of such lot, may be counted as making up a part of the twenty per cent to be left vacant. In case of interior lots having an alley 20 feet or more in width, the lot shall be measured to the center of alley. Communication between said vacant space and the alley or street shall be established and maintained, as elsewhere provided in this act. If the front line of the house is set back from the street, the lot area thus left vacant shall not be counted as a part of the area herein provided to be left vacant. Where there is a store in the first story and that story is intended to be or is occupied for business purposes only, of a kind not prohibited by this act, said vacant space may be considered to start at the second floor level, provided that the roof of said store or business portion of the first story is properly drained and finished with concrete or other roofing which can be easily kept clean, and is accessible to the occupants of the upper stories of the buildings, and has free communication with the alley or street as herein elsewhere provided for spaces left vacant at the ground.

§ 13. Rear Yards.—Immediately behind every dwelling hereafter erected, there shall be, except as hereinafter provided, a rear yard extending across the entire width of the lot, such yard shall be at every point open and unobstructed from the ground to the sky; except, that where there is a store on the first story, and that store is, or is intended to be, occupied for business purposes only of a kind not prohibited by this act said yard may be considered to start at the second floor level, provided that the roof of said store is accessible, is properly drained and finished with concrete or other roofing which can be easily kept clean. In the case of an interior lot, for dwellings which are three stories in height the rear yard space

shall be in no case less than fifteen feet deep in every part. Said yard shall be increased one foot six inches for every additional story or fraction thereof; and may be decreased in depth one foot for every story less than three stories in height. Where there is a public alley at the rear of the lot, upon which the lot abuts for its full width, the measurement for yard space may be made to the center of such alley. In the case of a corner lot, with no building facing the street upon which the lot abuts for the greater distance, the rear yard space shall in no case be less than ten feet deep, and one foot six inches additional for each story above the third except that in case there is a public alley in the rear of said lot, upon which the lot abuts for its full width, the measurements for yard space may be made to the center of such alley. Where there are no windows other than water closet, bathroom, kitchenette or supplementary windows opening upon a rear yard, such yard may have six feet as its minimum width, which shall be increased one foot six inches for every additional story above three stories. Where there are no windows in the rear of a dwelling no yard shall be required. Any portion of a corner lot distant more than seventy feet from the corner line of said lot, shall be treated as an interior lot. The foregoing provisions of this section shall not apply to hotels.

§ 14. Side Yards.—Dwellings hereafter erected may be built up to the side lot line, if the side wall is without windows. If, however, a side yard is left, it shall be at every point open and unobstructed from the ground to the sky, and shall not be less in width in any part than as follows:

(a) In the case of all dwellings hereafter erected not more than three stories in height and having a side yard, and where no windows, other than water closet, bathroom, kitchenette or supplementary windows open upon said yard the minimum width of said yard shall be four feet, and for every additional story, said width shall be increased at least one foot until a width of ten feet is reached.

(b) In the case of all dwellings hereafter erected not more than three stories in height and having a side yard upon which windows required by this act shall open, the minimum width of said yard shall be ten feet, and for every additional

story, said width shall be increased at least one foot. Where any side yard extends for its full length parallel with, and adjoining a public alley or street, the width of such alley or street may be treated as part of the width of such side yard as prescribed by this section. In the case of dwellings fronting on the same street and on a portion of a lot or plot without side lines of record, the minimum width of the side yard shall be the width between the side walls of said dwellings.

§ 15. Courts.—In the case of any dwelling hereafter erected, the sizes of courts upon which windows required by this act shall open shall be as follows: The width of all inner courts whose walls are not more than three stories in height, shall never be less than ten feet in any part and the area shall never be less than two hundred square feet. For every additional story said area shall be increased by an amount equal to the sum of the areas of the required windows opening upon said court. The width of all outer courts shall never be less than the minimum prescribed for inner courts. Nothing in this section shall prevent the windows of water closet compartment, bathrooms, kitchenettes or supplementary windows from facing upon an inner or outer shaft, provided the area of such inner shaft is equal to the sum of the areas of all the windows facing upon it; and provided that the width of such outer shaft is never less than one-half its depth. See Section 14.

§ 16. Easements.—When an owner of property adjoining that upon which a dwelling is to be erected, agrees of record to leave open and unoccupied a given space on his property immediately adjoining a side yard or court, and to treat such open space in all respects required by this act as a side yard or court and as a part of either lot, such space so left vacant and open may be included in determining the size of any side yard or court of which it thereby becomes a part.

§ 17. Courts Open at the Top.—No court or a dwelling hereafter erected shall be covered by a roof or skylight. Every such court shall be at every point open from the ground to the sky unobstructed. Except that in the case of hotels, courts may start on the floor level of the lowest bedroom story and in the case of other multiple dwellings where there

are stores or shops on the lower story or stories, and those stories are, or are intended to be, occupied for business purposes of a kind not prohibited by this act, such courts may start on the top of such lower story or stories.

§ 18. Angles in Courts.—Nothing contained in the foregoing sections concerning courts shall be construed as preventing the cutting across the angles of said courts; provided, that the running length of the wall across the angle does not exceed six feet.

§ 19. Dwellings in Alleys.—No dwelling shall be erected upon any alley or court where there is not left an open space of at least twenty feet in width between the dwelling and the center line of said alley or court.

§ 20. Buildings on the Same Lot With a Dwelling.—If any building is hereafter placed on the same lot with a dwelling, there shall always be maintained between the said buildings an open and unoccupied space extending upwards from the ground as required elsewhere in this act. If such buildings are placed at the side of each other, the space between them shall conform to the provisions of Section 14 of this act relating to side yards. If such buildings are placed one at the rear of the other, the space between them shall be the same as that prescribed in Section 13 for rear yards. In all cases, the height of the highest building on the lot shall regulate the dimensions. No building of any kind shall be hereafter placed upon the same lot with a dwelling so as to decrease the minimum sizes of courts or yards as hereinbefore prescribed.

A private garage or private stable may be built at the rear of a lot on which there is a dwelling at the front. Such garage or stable shall not exceed two stories in height, and may have living rooms therein for the use solely of a household employe, of the occupant of the dwelling on the front of the lot or a member of such employe's family. If so occupied, the garage or stable, in addition to complying with the provisions of this act, such living rooms shall have an entrance from the outside of the building without passing through the garage or stable. In the case of such garages which do not exceed one story in height the minimum dis-

tance between the rear wall of the dwelling and the nearest wall of the garage may be fifteen feet regardless of the height of the dwelling. In all other cases, the rear yard shall be measured from the rear wall of the dwelling and the nearest wall of the garage and shall conform to the provisions of Section 13 for rear yards.

If any dwelling is hereafter erected upon any lot upon which there is already another building, it shall comply with the provisions of this act, and in addition, the space between the said building and the said dwelling shall be of such size and arranged in such manner as is prescribed in this section the height of the highest building on the lot to regulate the dimensions.

§ 21. Rooms, Lighting and Ventilation of.—In every dwelling hereafter erected, every room including water closet compartments, bathrooms and kitchenettes, shall, except as hereinafter provided, have at least one window opening directly upon the street, or upon a yard, court or shaft of the dimensions specified in this act, and such window or windows shall be so located as to properly light all portions of such room.

§ 22. Windows in Rooms.—In every dwelling hereafter erected, the total window area in each room, including water closet compartments, bathrooms and kitchenettes, shall be at least one-eighth of the superficial floor area of the room, and such required area of the whole window shall be made so as to open in all its parts. No such window shall be less than twelve square feet in area between the stop beads. The top of at least one window shall be not less than seven feet six inches above the floor.

§ 23. Rooms, Size of.—In every dwelling hereafter erected, all rooms, except water closet compartments, bathrooms and kitchenettes shall be of the following minimum sizes: In each dwelling or in each apartment group or suite of rooms, there shall be at least one room containing not less than one hundred and fifty square feet of floor area; and each other room shall contain at least eighty-four square feet of floor area. No such room shall be in any part less than seven feet wide. There shall be not less than five hundred

cubic feet of air to each adult, and two hundred and fifty cubic feet of air to each child under twelve years of age occupying such room. Each room shall be in every part not less than eight feet high from the finished floor to the finished ceiling provided, however, that an attic room if habitable need be eight feet high in but one-half of its area, but at no point less than five feet six inches in height.

§ 24. Privacy.—In every multiple dwelling hereafter erected in each apartment of three or more rooms access to every living room and to every bedroom and to at least one watercloset compartment shall be had without passing through a bedroom.

§ 25. Water Closet Compartments, Bathrooms and Kitchenettes, Lighting and Ventilation of.—In every dwelling hereafter erected, every water closet compartment, bathroom and kitchenette shall have at least one window opening directly upon the street, upon a yard, court or shaft of the dimensions hereinbefore specified; or, if located immediately beneath a roof, a ventilating skylight, open to the sky, may be used in lieu of the windows required by this section. The area of such windows or skylights shall be as prescribed in Section 22 of this Act. Provided, however, that no such window shall be less in size than three square feet between stop beads and the opening of no such skylight shall be less than three square feet. Every such window shall be made so as to open in all its parts. Nothing in this section contained shall be construed so as to prohibit a general toilet room containing several water closet compartments separated from each other by dwarf partitions; provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water closets are supplemental to the water closet accommodations as hereinafter required. The above provisions shall not apply to multiple dwellings that have a system of forced ventilation so constructed as entirely to change the air in every bathroom, toilet room, water closet compartment or kitchenette every seven minutes.

§ 26. Public Halls.—In every multiple dwelling hereafter erected, every public hall shall have at each story at least one window opening directly upon the street or alley or

upon a yard or court of the dimensions hereinbefore specified. Any part of a public hall which is offset or recessed more than twenty-five feet or is shut off from any other part of said hall shall be deemed a separate hall within the meaning of this section and shall be separately lighted and ventilated. Such window shall be so placed at the end of the hall that light may pass directly to the opposite end of the hall, or else there shall be at the side of the hall at least one such window in every twenty feet in length, or fraction thereof, of such hall, except in so much of any public entrance hall as lies between the entrance to the building and the flight of stairs nearest the entrance, provided the entrance door contains not less than five square feet of glazed surface. But where there is a system of artificial lighting and ventilation, which is in the opinion of the health officer adequate to properly light and ventilate said hall, the windows required in this and the two following sections may be omitted.

§ 27. Windows for Public Halls, Size of.—In multiple dwellings hereafter erected, one at least of the windows provided to light each public hall or part thereof, shall have at least twelve square feet of area measured between the stop beads.

§ 28. Windows for Stair Halls, Size of.—In every multiple dwelling hereafter erected, there shall be provided for each story, at least one window to light and ventilate each stair hall, which window shall have at least twelve square feet of area, measured between the stop beads. A sash door opening to the outer air shall be deemed the equivalent of a window in this and the two foregoing sections; provided, that such door contains the amount of glazed surface prescribed for such windows. Such window or door shall open directly upon the street or alley, or upon a yard or court of the dimensions hereinbefore specified.

§ 29. Outside Porches.—In multiple dwellings hereafter erected, outside porches shall be so located as not to interfere with or diminish the light or ventilation required by this Act. The term "outside porches" shall include outside platforms,

balconies and stairways. All such outside porches shall be considered as part of the building, and not as part of the yards or courts or other unoccupied area.

TITLE II.—SANITATION.

§ 30. Cellar Rooms.—In dwellings hereafter erected, no room in the cellar shall be constructed, altered, converted or occupied for living purposes.

§ 31. Basement Rooms.—No room in the basement shall be constructed, altered, converted or occupied for living purposes, unless all of the following conditions are complied with:

1. Such room shall be at least eight feet high from the floor to the ceiling.

2. In addition to the other requirements of this Act, such room shall be well drained and dry, and shall be fit for human habitation.

§ 32. Cellars, Damp-Proofing and Lighting.—Every dwelling hereafter erected shall have a basement, cellar, or an excavated space at least three feet in depth under the entire entrance floor, or the entrance floor shall be elevated above the ground so that there will be a clear air space of at least twenty-four inches between the top of the ground and the bottom of said floor, so as to insure ventilation and protection from dampness. Such space shall in all cases be enclosed but shall be provided with ample ventilation and shall be properly drained. In every dwelling hereafter erected, adequate precautions shall be taken to prevent dampness in all cellars, basements and foundation walls. When the nature of the soil is such that damp-proofing of walls and floors becomes necessary, such damp-proofing shall run through the walls and up the same as high as the ground level and shall be continued throughout the floor. All cellars and basements in dwellings hereafter erected shall be properly lighted and ventilated.

§ 33. Yards, Courts, Shafts and Areas.—In every dwelling hereafter erected, the bottom of all yards, courts, shafts and areas which extend to the basement or cellar floor level, shall extend six inches below the floor level of said basement

or cellar. In every dwelling hereafter erected all yards, courts, shafts and areas shall be properly graded and drained, and when required by the health officer, they shall be properly paved in whole or in part, as may be necessary.

§ 34. Water Supply.—For every dwelling hereafter erected where public water mains are accessible, there shall be provided within twelve feet of the entrance a proper water supply. When such water mains are not accessible, such house shall have other water, suitable for all domestic uses, free from any contamination, supplied either within the house or within twelve feet thereof.

§ 35. Water Closet Accommodations.—For every dwelling hereafter erected, there shall be a separate water closet. Each such water closet shall be placed in a compartment completely separated from every other water closet, but a bathroom may be in the same compartment. Such compartment shall be not less than three feet wide and shall be enclosed with partitions which shall extend to the ceiling. It shall be lighted and ventilated as prescribed in Section 25 of this Act. No drip trays shall be permitted on any water closet. No water closet fixture shall be encased with any woodwork. Every water closet compartment hereafter placed in any dwelling shall be provided with proper means of lighting the same at night. If fixtures for artificial light are not provided within said compartment then the door of said compartment shall be provided with translucent glass panels, or with a translucent glass transom, not less in area than four square feet. No water closet shall be placed in a cellar or basement except upon a written permit from the health officer unless it is an extra water closet in a private dwelling and complies in all respects with the provisions of this Act. If any dwelling is built in a locality where neither a water main nor sewer is accessible, a "Kentucky Privy" as recommended by the State Board of Health may be built in the yard in lieu of a water closet. The overflow from this privy may be taken up by laterals or it may empty into a vault. The structure to be built over this privy shall be provided with adequate means of ventilation.

In two-family dwellings and in multiple dwellings of Class A hereafter erected, there shall be for each family a separate water closet constructed and arranged as above provided; except that where there are apartments consisting of one or two rooms only, it shall be sufficient to provide one water closet for each two such apartments. In such case, such water closet if within the building, shall not open into any apartment, but shall be accessible through a public hall, and the door thereof shall be provided with lock and keys; and such compartment and water closet shall comply in all other respects with the provisions of this Act. In multiple dwellings of Class B hereafter erected, there shall be provided at least one water closet for every fifteen occupants or fraction thereof. In two-family and multiple dwellings, the floor of every such water closet compartment shall be made waterproof with asphalt, tile, stone, terrazzo or some other non-absorbent waterproof material, and such waterproofing shall extend at least six inches above the floor, so that the said floor can be washed or flushed out without leaking.

§ 36. Sewer Connections.—Except as hereinafter provided no multiple dwelling shall hereafter be erected on any street unless there is accessible city water and a public sewer or a private sewer connected directly with a public sewer, and every such multiple dwelling shall have its plumbing system connected with the city water supply and with a public sewer before such multiple dwelling is occupied. No other means of sewage disposal shall be used in connection with any dwelling where connection with public sewer is practicable. Provided, however, that a multiple dwelling may be erected on a street where no sewer connection is possible, upon a permit issued by the health officer if in his opinion adequate and sanitary means of sewage disposal are provided by the owner of the lot on which such dwelling is proposed to be erected.

§ 37. Plumbing.—In every dwelling hereafter erected, no plumbing fixture shall be enclosed with woodwork, but the space underneath shall be left entirely open. Plumbing pipes shall be exposed, when so required by the health officer. All plumbing work shall be sanitary in every particular and,

except as otherwise specified in this Act, shall be in accordance with the plumbing regulations of said city. All fixtures shall be trapped. Pan, plunger and long hopper closets will not be permitted except that frost proof closets may be used outside of a building. In all multiple dwellings hereafter erected where plumbing or other pipes pass through the floors or partitions, the openings around such pipes shall be sealed or made air tight with incombustible materials, so as to prevent the passage of air or the spread of fire from one floor to another or from room to room.

## TITLE III.—FIRE PROTECTION.

§ 38. Fireproof Dwelling, When Required.—Every dwelling hereafter erected, over three stories in height, and every non-fireproof building hereafter altered for use as a dwelling over three stories in height, shall be of non-combustible construction.

§ 39. Means of Egress.—Every multiple dwelling hereafter erected exceeding two stories in height shall have at least two independent ways of egress which shall extend from the ground floor or the ground to the top story and shall be located remote from each other. The usual means of ingress may be considered as one means of egress and the other shall be either an inside stairway or an outside porch with a stairway from the grade to the topmost story. In multiple dwellings of Class A the second way of egress shall be directly accessible to each apartment, group or suite of rooms without having to pass through another apartment or through the first way of egress. In multiple dwellings of Class B the second way of egress shall be directly accessible from a public hall and be distant more than seventy-five feet from said hall.

§ 40. Roof Egress—Scuttles and Bulkheads.—Every flat-roofed multiple dwelling hereafter erected exceeding two stories in height, shall have in the roof a bulkhead or a scuttle not less than two feet by three feet in size. Such scuttle or bulkhead shall be fireproof or covered with metal on the outside and shall be provided with stairs or stationary ladder leading thereto and easily accessible to all the occupants of the building. No scuttle or bulkhead shall be located in a

closet or room, but shall be located in the ceiling on the public hall on the top floor, and access thereto shall be direct and uninterrupted.

§ 41. Stairs and Public Halls.—Every multiple dwelling three stories or more in height hereafter erected, shall have at least one flight of stairs extending from the entrance floor to the roof; and the stairs and public halls therein shall be at least three feet wide in the clear. All stairs shall be constructed with a rise of not more than eight inches and with treads not less than ten inches wide and not less than three feet long in the clear. Winding stairs will not be permitted.

§ 42. Stair Halls.—In non-fireproof multiple dwellings hereafter erected, which are three stories in height, the public halls, stairs and stair halls and soffits of stair shall be ceiled with metal lath and cement lath and plaster.

§ 43. Furnace and Boiler Rooms.—In non-fireproof multiple dwellings hereafter erected, which are three stories in height, the boiler or furnace room shall be enclosed and ceiled with metal lath and cement plaster.

§ 44. Entrance Halls.—The above requirements for enclosing and ceiling stair halls shall also apply to entrance halls. No entrance hall shall be less than four feet six inches wide in the clear. In every multiple dwelling hereafter erected access shall be had from the street or alley to the yard, either in a direct line or through a court.

§ 45. Dumb Waiters and Elevators.—In multiple dwellings hereafter erected, all dumb waiters and elevators shall be enclosed in fireproof shafts with fireproof doors at all openings at each story including the cellar. In the case of dumb waiters such doors shall be selfclosing. Every elevator shall be completely separated from the stairs by fireproof walls.

§ 46. Cellar Stairs.—In multiple dwellings hereafter erected inside cellar stairs shall be enclosed in a fireproof wall and shall have a fireproof, self-closing door at the bottom.

§ 47. Closet Under First Story Stairs.—In multiple dwellings hereafter erected, no closet of any kind shall be constructed under any staircase leading from the entrance story to the upper stories, but such space shall be left entirely open and free from encumbrance.

§ 48. Cellar Entrance.—In every multiple dwelling hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of the said building.

§ 49. Wooden Multiple Dwelling.—No wooden multiple dwelling shall hereafter be erected and no wooden building not now used as a multiple dwelling shall hereafter be altered into a multiple dwelling.

§ 50. Fire Walls.—In every row of two or more frame dwellings hereafter erected, the dividing walls shall be made of incombustible material not less than eight inches thick and carried to the underside of the roof coverings if the roof is a steep pitched roof, or two feet above the roof if the roof is flat. There shall be no openings in such wall.

§ 51. Garages in Dwellings. In private and two-family dwellings, all partitions enclosing garages shall be built of incombustible materials and the ceiling shall be covered with metal lath and plaster and there shall be an incombustible sill or threshold ten inches high between the garage and other portions of the building.

In multiple dwellings, the garage shall be fireproof, shall have a ten inch high sill and shall be cut off from other portions of the dwelling by Underwriters Standard fire doors.

## ARTICLE III.—ALTERATIONS.

§ 52. Enlargement of Dwellings.—To any wooden multiple dwelling erected prior to the passage of this act, an extension not exceeding a total area of seventy square feet may be added, if the extension is for bathrooms, water closets, or stairs. No existing wooden building shall be so altered or have its occupancy so changed as to be occupied by any separate family above the second floor. No dwelling shall hereafter be enlarged or its lot be diminished, or other building

placed on the lot so that the rear yard or side yard shall be less in size than the minimum sizes hereinbefore prescribed, nor shall a greater percentage of the lot be occupied by buildings or structures than hereinbefore provided for. All new stairs shall comply with the requirements for stairways in new buildings.

§ 53. Height.—No dwelling shall be increased in height so that the said building shall exceed the maximum allowed in Section 11 of this act.

§ 54. New Courts in Existing Buildings.—A court hereafter constructed in a dwelling erected prior to the passage of this act, if extending only through one or two stories, shall be not less than six feet wide and in the case of inner courts, shall be not less than eight feet long. If the court extends through more than two stories, it shall be not less than eight feet wide and in the case of inner courts, shall be not less than eight feet long. All courts shall be open to the sky, without skylight or roof of any kind. Section 16 relating to easements shall also apply to new courts in existing dwellings.

§ 55. Additional Rooms and Halls.—Any additional room or hall that is hereafter constructed or created in a dwelling shall comply, in all respects, with the provisions of this act relating to new construction, except that such room or hall may be of the same height as the other rooms or hall on the same story of the house.

§ 56. Rooms and Halls, Lighting and Ventilation of.—No dwelling shall be so altered or its lot diminished that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the health officer.

§ 57. Alcoves and Alcove Rooms.—No part of any room in a dwelling shall hereafter be enclosed or subdivided, wholly or in part, by a curtain, portieres, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or subdivided shall contain a window as required by Section 22 of this act, and have a floor area of not less than eighty-four square feet.

§ 58. Roof Stairs.—No stairs leading to the roof in any multiple dwelling shall be removed or be replaced with a ladder.

§ 59. Bulkheads.—Every bulkhead hereafter constructed in a multiple dwelling shall be constructed fireproof or covered with metal on the outside.

§ 60. Water Closet Accommodations.—Every water closet hereafter placed in a dwelling, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of Sections 25, 35 and 37 of this act relative to water closets in dwellings hereafter erected.

§ 61. Fireproof Dwellings.—No dwelling shall hereafter be altered so as to exceed three stories in height unless it shall be a fireproof dwelling.

§ 62. Fire Escapes.—All fire escapes hereafter constructed on any multiple dwelling shall be located and constructed as prescribed in Section 93 of this act.

§ 63. Dumb Waiters and Elevators.—All dumb waiters and elevators hereafter constructed in multiple dwellings shall comply with the provisions as set forth in Section 45 of this act.

## ARTICLE IV.—MAINTENANCE.

§ 64. Public Halls, Lighting of in the Daytime.—In every multiple dwelling, where the public halls and stairs are not provided with windows opening directly to the street or to a yard or court of such dimensions as prescribed in this act, and such halls and stairs are not sufficiently lighted, the owner of such dwelling shall keep a proper light burning in the hallway, near each stairway, upon each floor, as may be necessary, from sunrise to sunset.

§ 65. Public Halls, Lighting at Night.—In every multiple dwelling a proper light shall be kept burning by the owner in the public hallways, near each stairway, upon each floor, every night from sunset to sunrise throughout the year if so required by the health officer.

§ 66. Water Closets in Cellars.—No water closet shall be maintained in the cellar of any dwelling without a permit in writing from the health officer, unless it is a supplementary water closet in a private dwelling. Under no circumstances shall the general water closet accommodations of any two-family or multiple dwelling be permitted in the cellar or basement thereof; this provision, however, shall not be construed so as to prohibit a general toilet room containing several water closets, provided such water closets are supplementary to those required by this act.

§ 67. Water Closet Accommodations.—For every multiple dwelling existing prior to the passage of this act, there shall be provided at least one water closet for every two apartments, groups or suites of rooms, or fraction thereof. Except that for multiple dwellings of Class B there shall be provided at least one water closet for every fifteen occupants or fraction thereof.

§ 68. Basement and Cellar Rooms.—No room in the cellar of any dwelling erected prior to the passage of this act shall be occupied for living purposes. And no room in the basement of any such dwelling shall be so occupied without a written permit from the health officer, which permit shall be kept readily accessible in the main living room of the apartment containing such room. No such room shall hereafter be occupied unless all the following conditions are complied with:

(1) Such room shall be at least seven feet high in every part from the floor to the ceiling.

(2) The ceiling of such room shall be in every part at least three feet six inches above the surface of the street or ground outside of or adjoining the same.

(3) There shall be appurtenant to such room the use of a water closet.

(4) At least one of the rooms of the apartment of which such room is an integral part, shall have a window opening directly to the street or yard, of at least twelve square feet in size, measured between the stop beads, and which shall open readily for purposes of ventilation.

(5) The lowest floor shall be water-proof and damp-proof.

(6)—Such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

§ 69. Cellar Walls and Ceilings.—The cellar walls and cellar ceilings of every two-family and multiple dwelling shall be thoroughly whitewashed or painted a light color by the owner and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health officer.

§ 70. Water Closets and Sinks.—In all two-family and multiple dwellings, the floor or other surface beneath and around water closets and sinks shall be maintained in good order and repair and, if of wood, shall be kept well painted with light colored paint.

§ 71. Repairs.—Every dwelling and all the parts thereof shall be kept in good repair, and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping onto the ground or causing dampness in the walls, ceilings, yards, or areas.

§ 72. Water Supply.—Every dwelling shall be provided with proper water supply as set forth in the requirements under Section 34 of this act. The owner of such dwelling shall provide proper appliances to receive and distribute an adequate and sufficient supply of such water according to the provisions of this act, at all times of the year, during all hours of the day and night. But a failure in the general supply of city water shall not be construed to be a failure on the part of such owner, provided proper and suitable appliances to receive and distribute such water have been provided.

§ 73. Cisterns and Wells.—Where there is no city water supply reasonably accessible, there shall be provided one or more adequate cisterns or wells with a pump or other attachment for drawing water but with no opening for drawing water with pails or buckets. Such cisterns or wells shall be furnished of such size and number and constructed and maintained in such manner as may be determined by the health officer.

§ 74. Catch Basin.—In the case of dwellings where sinks with running water are not provided and where there

is no sewer, one or more catch basins or some other approved contrivance for the disposal of waste water, as may be necessary in the opinion of the health officer, shall be provided in the yard or court, level with the surface thereof and at a point easy of access to the occupants of such dwelling.

§ 75. Cleanliness of Dwellings.—Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner of every dwelling, and in the case of a private dwelling the occupant thereof, shall thoroughly cleanse or cause to be cleansed all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water closets, cesspools, drains, halls, cellars, roofs and all other parts of the said dwelling of which he is the owner, or in the case of a private dwelling the occupant, to the satisfaction of the health officer, and shall keep the said parts of the said dwelling in a cleanly condition at all times.

§ 76. Walls of Courts and Shafts.—In multiple dwellings, the walls of all courts and shafts, unless built of a light colored brick, stone or other light colored material, shall be thoroughly whitewashed by the owner, or shall be painted a light color by him, and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health officer.

§ 77. Walls and Ceilings of Rooms.—In all multiple dwellings the health officer may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such room, and may require this to be renewed as often as may be necessary.

§ 78. Receptacles for Ashes, Garbage and Rubbish.—The owner of every dwelling, and in the case of a private dwelling or a two-family dwelling the occupant, shall provide and maintain for said dwelling proper and suitable tight metal cans, with covers for holding ashes, rubbish, garbage, refuse and other matter. Chutes and bins for such purposes are prohibited.

§ 79. Prohibited Uses.—No horse, cow, calf, swine, sheep, goat or fowls shall be kept in any dwelling or part thereof. Nor shall any such animal be kept on the same lot or premises with a dwelling except under such conditions as may be prescribed by the health officer. No such animal, except a horse, shall under any circumstances be kept on the same lot or premises with a multiple dwelling. No dwelling or the lot or premises thereof shall be used for the storage of rags or junk. No multiple dwelling or the lot or premises thereof shall be used for purposes of prostitution or assignation.

§ 80. Combustible Materials.—No dwelling, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health; nor of any combustible article except under such conditions as may be prescribed by the health officer and under authority of a written permit issued by him. No multiple dwelling nor any part thereof, shall be used as a place of storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, rags or waste.

§ 81. Certain Dangerous Business.—No bakery and no place of business in which fat is boiled, shall be maintained in any multiple dwelling which is not fireproof throughout. There shall be no transom, window or door opening into a public hall from any portion of a multiple dwelling where paint, oil, drugs, spirits are stored or kept for the purpose of sale or otherwise. The provisions of this paragraph shall not apply to hotels.

§ 82. Janitor or Housekeeper.—In any multiple dwelling in which the owner thereof does not reside, there shall be a janitor, housekeeper or other responsible person who shall reside in said house and have charge of the same, if the health officer shall so require.

§ 83. Overcrowding.—If any room in a dwelling is overcrowded, the health officer may order the number of persons sleeping or living in said room to be so reduced that there shall be not less than five hundred cubic feet of air to each

adult and two hundred and fifty cubic feet of air to each child under twelve years of age occupying such room.

§ 84. Infected and Uninhabitable Dwellings to be Vacated.—Whenever it shall be certified by the health officer that a dwelling is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any other cause, the health officer may issue an order requiring all persons therein to vacate such house within not less than twenty-four hours nor more than ten days for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the health officer may cause said dwelling to be vacated. The health officer whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation, shall revoke said order or may extend the time within which to comply with the same.

§ 85. Repairs to Buildings, et Cetera.—Whenever any dwelling or any building, structure, excavation, business pursuit, matter or thing in or about a dwelling, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the health officer, in a condition or in effect dangerous or detrimental to life or health, the health officer may declare that the same to the extent he may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified as the order shall specify. In addition to the above powers, the health officer may also order or cause any dwelling or excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter or thing, in or about a dwelling, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired or improved. If any order of the health officer is not complied with, or so far complied with as he may regard as reasonable, within five days after the service thereof, or within much shorter time as he may designate, then such

order may be executed by such official through his officers, agents, employes, or contractors.

§ 86. Fire Escapes.—The owner of every multiple dwelling on which there are fire escapes, shall keep them in good order and repair and whenever rusty shall have them properly painted with two coats of paint. No person shall at any time place any incumbrance of any kind before or upon any such fire escape.

§ 87. Scuttles, Bulkheads, Ladders and Stairs.—In all multiple dwellings where there are scuttles or bulkheads, they and all stairs or ladders leading thereto shall be easily accessible to all occupants of the building and shall be kept free from incumbrance and ready for use at all times. No scuttled and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

ARTICLE V.—IMPROVEMENTS.

§ 88. Rooms, Lighting and Ventilation of.—No room in a dwelling erected prior to the passage of this act shall hereafter be occupied for living purposes unless it shall have a window or an area of not less than eight square feet opening directly upon the street, or upon a rear yard not less than ten feet deep, or above the roof of an adjoining building, or upon a court or side yard of not less than twenty-five square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air, except that a room which does not comply with the above provisions may be occupied if provided with a sash window of not less than fifteen square feet in area, opening into an adjoining room in the same apartment, group or suite of rooms, which latter room either opens directly on the street or on a rear yard of the above dimensions. Said sash window shall be a vertically sliding pulley hung sash not less than three by five feet between the stop beads; both halves shall be made so as to readily open, and the lower half shall be glazed with translucent glass, and so far as possible, it shall be in line with windows in the said outer room opening on the street or rear yard so as to afford a maximum of light and ventilation.

§ 89. Public Halls and Stairs, Lighting and Ventilation. —In all dwellings erected prior to the passage of this act the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be deemed necessary by the health officer, who may order the cutting in of windows and skylights and such other improvements and alterations in said dwellings as in his judgment may be necessary and appropriate to accomplish this result.

§ 90. Privy Vaults and Water Closets.—In all dwellings erected prior to the passage of this act, where a connection with a sewer is possible, all privy vaults and other similar receptacles used to receive fecal matter, urine or sewage, shall on or before July 1st, 1921, with their contents be completely removed and the place where they were located properly disinfected under the direction of the health officer. Such appliances shall be replaced by individual water closets of durable, non-absorbent material, properly sewer connected and with individual traps and properly connected flush tanks providing an ample flush of water to thoroughly cleanse the bowl. Each such water closet, when located inside the dwelling, shall be located in a compartment completely separated from every other water closet, and such compartment shall contain a window of not less than three square feet in area opening directly to the street, or a rear yard or on a side yard or court of the minimum sizes hereinbefore prescribed. In two-family and multiple dwellings the floors of the water closet compartments shall be water proofed as provided in Section 35 of this act. Where water closets are placed in the yard, to replace privy vaults, long hopper closets may be used; but all traps, flush tanks and pipes shall be protected against the action of frost. In such cases, the structure containing the water closets shall not exceed ten feet in height; such structure shall be provided with a ventilating skylight in the roof, of an adequate size, and each water closet shall be located in a compartment completely separated from every other water closet. In the case of two-family and multiple dwellings proper and adequate means of lighting the structure at night shall be provided. The provisions of Section 35 as to number of water closets in proportion to the

number of families or persons in two-family and multiple dwellings, shall apply.

§ 91. Basements and Cellars.—The floors of the cellar or lowest floor of every dwelling shall be free from dampness and when necessary, shall be concreted with not less than four inches of concrete of good quality and with a finished surface. The cellar ceiling of every multiple dwelling shall be plastered, when so required by the health officer.

§ 92. Shafts and Courts.—In every dwelling where there is a court or shaft of any kind, there shall be at the bottom of every such shaft and court a door giving sufficient access to such shaft or court to enable it to be properly cleaned out. Provided, that where there is already a window giving proper access it shall be deemed sufficient.

§ 93. Egress.—Every multiple dwelling exceeding two stories in height shall have at least two independent ways of egress constructed and arranged as provided in Section 39 of this act. In the case of multiple dwellings erected prior to the passage of this act where it is not practicable to comply in all respects with the provisions of that paragraph, the health officer shall make such requirements as may be appropriate to secure proper means of egress from such multiple dwellings for all the occupants thereof. No existing fire escape shall be deemed a sufficient means of egress unless the following conditions are complied with:

(1) All parts of it shall be of iron or reinforced concrete.

(2) The fire escape shall consist of outside balconies which shall be properly connected with each other by adequate stairs with openings not less than twenty-four by twenty-eight inches.

(3) All fire escapes shall have proper stairways from the lowest balcony of sufficient length to reach a safe landing place beneath. Where such stairways are not possible, balanced ladders may be used.

(4) All fire escapes not on the street shall have an adequate and safe means of egress from the yard or court to the street or alley or to the adjoining premises.

(5) Prompt and ready access shall be had to all fire escapes, which shall not be obstructed by bath tubs, water closets, sinks, or other fixtures, or in any other way.

All fire escapes that are already erected which do not conform to the requirements of this paragraph, may be altered by the owner to make them so conform in lieu of providing new fire escapes, but no existing fire escape shall be extended or have its location changed except with the written approval of the health officer.

§ 94. Additional Means of Egress.—Whenever any multiple dwelling is not provided with sufficient means of egress in case of fire, the health officer shall order such additional means of egress as may be necessary.

§ 95. Roof Egress, Scuttles, Bulkheads, Ladders and Stairs.—Every flat roofed multiple dwelling exceeding two stories in height, erected prior to the passage of this act, shall have in the roof a bulkhead or scuttle as prescribed in Sections 40 and 87 of this act. All keylocks on existing scuttles and on bulkhead doors shall be removed.

## ARTICLE VI.—REQUIREMENTS AND REMEDIES.

§ 96. Permit to Commence Building.—Before the construction or alteration of a dwelling, or the alteration or conversion of a building for use as a dwelling, is commenced, and before the construction or alteration of any building or structure on the same lot with a dwelling, the owner, or his agent or architect shall submit to and file with the health officer a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for the light and ventilation and sanitation of such dwelling or building, and also full and complete copies of the plans of such work. With such statement there shall be submitted a plat of the lot showing the dimensions of the same, the location of the proposed building and all other buildings on the lot. Such statement shall give in full the name and residence, by street and number, if any, of the owner or owners of such dwelling or building and the purposes for which such dwelling or building will be used. If such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, if any, not only of the owner of the land, but of every person interested

in such dwelling, either as owner, lessee or in any representative capacity. Said affidavit shall allege that said specifications are true and contain a correct description of such dwelling. building, structure, lot, and proposed work. The statements herein provided for may be made by the owner, or by the person who proposes to make the construction, alteration or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner, unless he shall file with the said health officer, a written instrument signed by such owner designating him as such agent. The health officer shall cause all such plans, statements, affidavits and specifications to be examined, and if they conform to the provisions of this act, they shall be approved by the health officer and a written certificate to that effect shall be issued by him to the person submitting the same. Such health officer may, from time to time, approve changes in any plans and specifications previously approved by him, provided plans and specifications when so changed shall be in conformity with law. Any permit or approval which may be issued by the health officer but under which no work has been done above the foundation walls within one year from the time of the issuance of such permit or approval, shall expire by limitation. Such health officer shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this act, or in case any false statement or representation is made in any specifications, plans, affidavits or statements submitted or filed for such permit or approval. The health officer may issue and enforce such rules and regulations not inconsistent with this act, as may be necessary to fully carry out and enforce the provisions hereof.

§ 97. Certificate of Compliance.—No building hereafter constructed as or altered into a dwelling shall be occupied in whole or in part for human habitation until the issuance of a certificate by the health officer, that said dwelling conforms in all respects to the requirements of this Act.

§ 98. Unlawful Occupation.—If any building hereafter constructed as or altered into a dwelling be occupied in whole or in part for human habitation in violation of the last para-

graph, during such unlawful occupation no rent shall be recoverable by the owner or lessee of such premises for such period and said premises shall be deemed unfit for human habitation and the health officer may cause them to be vacated accordingly.

§ 99. Penalties for Violations.—Every person who shall violate or assist in the violation of any provision of this Act, shall be fined not less than ten dollars nor more than twenty-five dollars for each offense, and each and every day after the expiration of the notice prescribed by this Act that said violation is allowed to continue, shall be considered an additional offense. Such person or persons shall also be liable for all costs, expenses and disbursements paid or incurred by said officer or department or by an agent, employee or contractor of the same, in the removal of any nuisance or violation. The existence of any nuisance or violation of this Act in or upon the property, shall subject said property to the fines and penalties herein prescribed, upon the institution of the proper proceedings against said property or its owner.

§ 100. Procedure.—In case any dwelling, building or structure or any part thereof is constructed, altered, converted or maintained in violation of any provision of this Act or any order or notice of the health officer, or in case a nuisance exists in any such building, dwelling or structure, or upon the lot on which it is situated, such health officer may institute in the name of the city any appropriate civil action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, or to restrain, correct, abate such violation or nuisance, or to prevent any illegal act, conduct or business in or about such dwelling or lot, or for the imposition or collection of any fine or penalty prescribed by this Act. In no case shall the said health officer or any of his deputies or employees, or the city, be liable for costs in any action or proceeding that may be commenced in pursuance of this Act. The actions, proceedings and authority of the health officer, shall at all times be regarded as in their nature judicial, and shall be treated as prima facie just and legal.

§ 101. Tenant's Responsibility.—If the occupant of a dwelling shall fail to comply with the provisions of this Act

after due and proper notice from the health officer, such failure to comply shall be deemed sufficient cause for the eviction of such tenant by the owner and the cancellation of his lease.

§ 102. Registry of Owner's Name.—Every owner of a dwelling and every lessee of a whole multiple dwelling, or other person having control of a multiple dwelling, shall file with the health officer a notice containing his name and address, and also a description of the property, by street, number or otherwise as the case may be, in such manner as will enable the said health officer easily to find the same; and also the number of apartments in each multiple dwelling, the number of rooms in each apartment and the number of families occupying the apartments.

§ 103. Registry of Agent's Name.—Every owner, lessee or agent of a multiple dwelling may file with the health officer, a notice containing the name and address of an agent, residing in the city wherein the house is located, for the purpose of receiving service of process, in all actions herein provided for, and also a description of the property by street number or otherwise as the case may be, in such manner as will enable the health officer easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

§ 104. Service of Notice and Orders.—Every notice or order in relation to a dwelling shall be served five days before doing the thing in relation to which it shall have been issued. The posting of a copy of such notice or order in a conspicuous place in the dwelling, together with the mailing of a copy thereof on the same day that it is posted, to each person, if any, whose name has been filed in accordance with the provisions of Sections 102 and 103 of this Act at his address as therewith filed shall be sufficient service thereof.

§ 105. Service of Summons.—In any action brought by the health officer, in relation to a dwelling, for injunction, vacation of the premises or abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of the summons to serve the same as notices and orders are served under the provisions of the last paragraph; provided, that a copy of the summons shall also be delivered to the agent, if any, whose name and address have been filed in accordance with the pro-

visions of Section 103 of this Act, or to a person of proper age at such address, if upon reasonable application admittance can be obtained and such person found; and provided also, that personal service of the summons upon the owner of such dwelling shall be sufficient service thereof upon him.

§ 106. Indexing Names.—The names and addresses filed in accordance with Sections 102 and 103 shall be indexed by the health officer in such a manner that all of those filed in relation to each dwelling shall be together and readily ascertainable. The proper city authorities shall provide the necessary books and clerical assistance for that purpose and the expense thereof shall be paid by the city. Said indexes shall be public records open to public inspection during business hours.

§ 107. Enforcement.—The provisions of this Act shall be enforced in each municipality by the health officer, except that the department of buildings, where such department exists in a municipality shall enforce the provisions herein contained under the title "Fire Protection" and the provisions contained in Sections 61, 62, 63, 93 and 95 hereof. An action may also be brought and proceedings taken for the enforcement of this Act by any citizen of said city.

§ 108. Right of Entry.—The health officer and all inspectors, officers and employees and such other persons as may be authorized by the health officer may without fee or hindrance enter, examine and survey all premises, grounds, erections, structures, apartments, dwellings, buildings and every part thereof in the city. The owner or his agent or representative and the lessee and occupant of every dwelling and every person having the care and management therof shall at all reasonable times when required by any such officers or persons give them free access to such dwellings and premises. The owner of a dwelling and his agents and employees shall have right of access to such dwelling at reasonable times for the purpose of bringing about a compliance with the provisions of this Act or any order issued thereunder.

§ 109. Laws Repealed.—All statutes of the State and all local ordinances, so far as inconsistent with the provisions of this Act, are hereby repealed. It is intended that this Act

shall be valid to the fullest extent possible and that its invalidity, if any, in any feature, shall not render the remainder of it invalid or inoperative.

§ 110. When to Take Effect.—This Act shall take effect from and after its passage.

Mr. Murphy offered Amendment No. 1 to House Bill No. 29 as follows:

Amend House Bill 29 by striking out all provisions relating to second, third, and fourth class cities.

Mr. Lazarus moved to make said bill a special order for Friday, February 27, at 2 o'clock.

Mr. Strange moved to table the bill and amendment.

Said motion to table was agreed to.

Ordered, that said bill do lie on the table.

Mr. Ryans moved that House Bill No. 366 be committed to the Committee on Racing Commission.

Said motion was agreed to, and the bill was so referred.

Mr. Swope moved to suspend the rules and take up for immediate consideration House Bill No. 59.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 59.

House Bill No. 59. An Act that section 4405, Kentucky Statutes, Carroll's 1915 Edition, be and is hereby amended and re-enacted to read as follows: To furnish text books for indigent children.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That section 4405, Kentucky Statutes, Carroll's 1915 Edition, be, and the same is, hereby amended and re-enacted so that the same, when so amended and re-enacted, shall read as follows:

Section 4405. Text Books for indigent Children—Duties of County Judge, Superintendent, Trustees, Teachers, Supervisors of Rural Schools and Truant Officers.—It shall be the duty of each county superintendent of schools, before the opening of the schools each year, and immediately thereafter, and from time to time, not less than three times each year, by personal observation and from teachers, trustees and truant officials, supervisors of rural schools and otherwise, to ascertain the number of indigent children of school age in each school district and subdistrict in his county, and the number and cost of text books upon each of the common school branches needed by such indigent children in each of such districts for use in the common schools, and shall report to the county judge the names of such children, the districts in which they live and the school to which they belong, the name of the teacher and the number and kind of books needed. Such report shall be filed with the county judge immediately, and within not less than ten days after the beginning of the school term in such districts, and thereafter as above provided, and the County Judge shall purchase the books needed and pay for them out of an allowance made by the fiscal court of the county, and he shall turn them over to the superintendent of the county for distribution, taking a receipt for the number and value of the books. The superintendent shall deliver such books to the children through the supervisor of rural schools or truant officer, if any, and if not, through the trustee or teacher of the school, each of whom shall take the proper receipts therefor from the parent or custodian of the child.

The committee offered the following amendment:

Amendment No. 1. Amend by striking out all of lines 22, 23 and 24 and substituting the following in lieu thereof: "Children, through the teacher of the school, who shall take the proper receipts therefor from the parent or custodian of the child. Such parent or custodian shall be held liable for return of such books to teacher, such books to be in good condition save the ordinary wear and shall be surrendered upon order of teacher."

Mr. Hardin offered the following amendment:

Amendment No. 2. Amend House Bill 59 by striking out of lines 16 and 17 the following words: "and within not less than ten days after beginning of the school term in such districts" and substituting in lieu thereof the following: "and within not less than ten days before the beginning of the school term in such districts."

Mr. Mason moved that said bill with the amendments offered be recommitted to the committee on Education No. 1 with leave to report at any time.

Said motion was agreed to and the bill was recommitted.

Mr. VanHoose moved to suspend the rules and take up for consideration House Bill No. 32.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 32.

House Bill No. 32. An Act to prohibit the publication of newspapers, periodicals, and magazines in any language except the English language.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That it shall be unlawful to publish any newspaper, periodical, or mazazine in this state in any language except the English language. Any person, firm, or corporation violating the provisions of this act shall be fined not less than twenty-five dollars and not more than five hundred dollars and each issue of such newspaper, periodical, or magazine shall constitute a separate offense.

The committee offered the following amendment to said bill:

Amendment No. 1. "Provided that the above shall not apply to any newspaper, periodical, or magazine which has been in continuous publication for the last fifty years."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | Robt. Humphreys | T. P. Oliver |
| L. H. Ballard | J. W. Johnson | T. C. Pryse |
| W. T. Beckham | Henry Kaufman | B. F. Reynolds |
| W. M. Boling | Frank Kennard | Sherman Robbins |
| Rodney G. Bryson | J. M. Knott | Lee Rogers |
| W. T. Carner | Dr. S. D. Laughlin | Chas. R. Scott |
| J. F. Carr | Hebron Lawrence | W. P. Scott |
| T. L. Caudel | Joseph Lazarus | Dr. B. F. Shields |

| | | |
|---|---|---|
| B. L. Cox | Elmer Lusby | H. A. Spillman |
| P. A. Day | R. C. Marcum | Wm. A. Stewart |
| H. N. Dean | I. S. Mason | T. R. Stultz |
| J. W. Geveden | A. J. McCandless | J. Mack Thompson |
| Dr. W. L. Gossett | H. C. McLellen | John L. Trumbo |
| A. L. Hamilton | Harry J. Meyers | Fred C. VanHoose |
| E. C. Hardin | Claude D. Minor | Daniel Vose |
| Talbert Holliday | Mack J. Morgan | J. S. Webb |
| D. J. Howard | John T. Murphy | W. G. Wheeler |
| A. R. Hudson | Estill W. Neel | —53 |

Those who voted in the negative were:

W. L. Kimbrough J. Wood Vance —2

*Resolved,* That the title thereof be as aforesaid.

Mr. VanHoose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills were delivered to the committees to which they had been referred: 460, 446, 459, 475, 471, 469, 470, 440, 448, 468, 465, 477, 478, 444, 474, 476, 483, 447, 487, 461, 479, 458, 451, 472, 455, 466, 452, 457, 454, 463, 450, 453, 456, 418, 427, 426, 424, 492, 488, 437, 430, 428, 480, 484, 481, 464, 462, 473, 449, 499, 493, 502, 445, 498, 491, 489, 500, 438, 494, S. B. 39, S. B. 80, H. B. 494, 432, 436, 431, 486, 485, 443, 433, 442, 441, 439, S. B. 57, S. B. 127, Senate Resolution 8, H. B. 383, 425, 496, 490.

Mr. Hudson, of the Committee on Enrollments reported that said committee had compared Senate Resolution No. 16 as enrolled with the original thereof and had found same correctly enrolled.

Whereupon all other business in the House was suspended and the resolution was read at length and compared in open House and found to be correct.

Then the Speaker in open House and in the presence of the members affixed his signature thereto.

Ordered that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Beckham moved that no bill be called from the Orders of the Day and be put upon its passage immediately, but that if any bill be called from the Orders of the Day and put upon its passage it be put off a day from the time the motion is made.

Mr. Hardin moved to amend the motion of the gentleman from Shelby by allowing each member to make special order of one bill provided he has not had a special order.

Mr. Meyers moved as a substitute for said motion that the House proceed according to the regular order of business.

Mr. Wash moved to table the motion of the gentleman from Shelby with all amendments.

Said motion to table was agreed to.

Ordered, that said motion and amendments do lie on the table.

## IN ORDERS OF THE DAY.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 104. An Act defining Optometry, creating and establishing the Kentucky State Board of Examiners in Optometry.

Mr. Humphreys moved to table said bill.

The motion was lost.

Mr. Meyers moved to recommit House Bill No. 104 to the Committee on Kentucky Statutes.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 217. An Act relating to officers of the police court in cities of the first class, and to the bond recorder in such cities, and amending, enlarging, re-enacting, and repealing certain sections of the Kentucky Statutes, Carroll's Edition of 1915, as follows: Amending and re-enacting Section 2911, relating to said court and its officers; repealing Section 2928-a relating to the doorkeeper of said court; repealing Sections 2940 to 2944, inclusive, relating to the bailiff of said court; repealing Section 2945 relating to the interpreter of said court; repealing Section 2947 relating to the bond recorder in such cities; and abolishing the offices and positions of said doorkeeper, bailiff, interpreter and bond recorder, and providing for the performance, by the clerk of said court, of the duties now respectively performed by said officers; and amending, enlarging and re-enacting Sections 2930 and 2931, defining the powers, duties, and compensation of the clerk of the police court in such cities, and fixing the number of his deputies and their compensation; all of said sections being portions of the Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893, as amended and supplemented by the Act approved March 18, 1902, Chapter XXXI, Acts of 1904, and by the Act of March 22, 1904, Chapter XCVI, Acts of 1904.

Mr. Roth moved that said bill be recommitted to the Committee on Municipalities with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 206. An Act to amend Sub-section 7 of Section 1019-a of the Act approved March 29, 1902, entitled, "An Act to provide for stenographic reporters for courts of continuous session."

Mr. Barnes moved that present consideration of the bill be deferred, and that said bill be left in its present position in the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 50.

House Bill No. 50. An Act to provide for the establishment, opening and maintenance of private passways leading from a public highway to the home of a landowner whose property does not abut upon such public highway.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Any owner and occupant of land which does not adjoin or abut upon a public highway or public passway may, by written petition, apply to the county court of the county in which the lands lie for a passway not exceeding twelve feet wide from his lands to the nearest public highway or public passway, and upon the establishment of the fact that the petitioner resides and makes his home upon such lands, and that the same does not adjoin or abut upon a public highway or public passway, and that he has no other passway by which he can reasonably and conveniently reach such public highway or passway, the county court shall appoint three commissioners, one of whom shall be a surveyor, to view out and locate such passway, and make report thereof, in writing, to the county court, fixing the location of the passway, if one be deemed necessary by the commissioners, whereupon the

county court, if it be satisfied from the report of the commissioners or from a hearing that the petitioner is entitled to such passway, shall establish a passway from his said home and land over the lands of the intervening owner, or owners, to the public highway or public passway nearest to the lands of the petitioner. But such passway shall not be more than twelve feet in width, the same to be established after the acreage has been ascertained and applicant has paid or tendered to the owner, or owners, double the price per acre at which the landowner listed his lands for taxation for the last preceding year before the application was filed with the county court.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | J. W. Johnson | Dr. Lewis Ryans |
| L. H. Ballard | Henry Kaufman | Chas. R. Scott |
| H. H. Barnes | Frank Kennard | W. P. Scott |
| W. T. Beckham | W. L. Kimbrough | Dr. B. F. Shields |
| W. M. Boling | J. M. Knott | H. G. Skiles |
| Rodney G. Bryson | Dr. S. D. Laughlin | S. G. Smith |
| W. T. Carner | Hebron Lawrence | R. Lee Stewart |
| J. F. Carr | Joseph Lazarus | Wm. A. Stewart |
| T. L. Caudel | R. C. Marcum | John T. E. Stites |
| B. L. Cox | I. S. Mason | Frank L. Strange |
| P. A. Day | A. J. McCandless | T. R. Stultz |

| | | |
|---|---|---|
| H. N. Dean | R. L. McFarron | J. Mack Thompson |
| J. B. Denues | H. C. McLellen | C. B. Truesdell |
| J. M. Foster | Harry J. Meyers | John L. Trumbo |
| Dr. T. H. Gamblin | John T. Murphy | J. Wood Vance |
| J. W. Geveden | Estill W. Neel | Fred C. VanHoose |
| E. C. Hardin | Chas. A. Nelson | Daniel Vose |
| D. J. Howard | B. F. Reynolds | A. M. Wash |
| A. R. Hudson | Sherman Robbins | J. S. Webb |
| Adam W. Huff | Lee Rogers | Gladstone Wesley |
| Robt. Humphreys | B. A. Roth | V. M. Williamson |

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Those who voted in the negative were:

Dr. W. L. Gossett J. H. Thompson —2

*Resolved,* That the title thereof be as aforesaid.

Mr. Carr moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 91. An Act to amend and re-enact Section 2218 of the Kentucky Statutes, being Section 2218 of an Act entitled, "Interest and Usury" enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

Mr. Lazarus moved to defer further consideration of the bill and leave same in its present place in the Orders of the Day.

Said motion was agreed to.

Mr. Wash moved to take up for immediate consideration House Bill No. 354 and to suspend the rules and place same upon its passage.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 354.

House Bill No. 354. An Act to amend and re-enact Section 1488, Kentucky Statutes, Carroll's 1915 Edition, and also to amend and re-enact Sections 1 and 2 of Chapter CXXXVI of the Acts of 1918, relating to registration of voters in cities of the first, second, third and fourth classes.

Said bill reads as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 1488 of Kentucky Statutes, Carroll's 1915 Edition, be, and the same is hereby, amended and re-enacted, so that said section, when so amended and re-enacted, shall read as follows:

Officers of registration shall have the same power to preserve order at the polls of registration as is exercised by sheriffs of election at the polls. If the officers of registration entertain any doubt as to whether or not any person offering for registration is entitled to such registration, or if any one's right to register is challenged, citizens may be called in, not exceeding three in number, who shall be examined touching the qualifications of such person or persons who offer to register. The officers of registration shall enter the name of each person registered at the time he registers upon a book provided for said purpose, said entry to be made as is now provided by law for registration of voters in cities of the first, second, third and fourth classes, and no person who is required by the law to register shall have the right to vote at any election held in this Commonwealth unless his name is entered on the registration books for the precinct at which he offers to vote.

§ 2. That Section 1 of Chapter CXXXVI of the Acts of the General Assembly of 1918 be amended and re-enacted, so

that said section, when so amended and re-enacted, shall read as follows:

(1) Any otherwise qualified voter being an officer or employe of the United States, or of the Commonwealth of Kentucky, regularly ordained minister of the Gospel and bona fide commercial traveler, may appear before the County Court Clerk of the county of his residence on the day immediately preceding or day of any primary or general election, and upon making oath or affidavit (either of which the Clerk in his discretion may require) to the effect that he was absent from his place of residence on all general or special registration days previously held during the current year, and that his absence was due to or by reason of duties pertaining to such officership or employment in or by the United States or this Commonwealth, or his duties as a minister; whereupon the clerk shall register said voter, and when so registered the voter shall have the same right to vote in all elections until the next succeeding general registration, as if he had registered before the registration officers under the general provisions relating to registration.

§ 3. That Section 2 of Chapter CXXXVI of the Acts of 1918 be amended and re-enacted, so that when amended and re-enacted said subsection shall read as follows:

(2) Such special registration shall be made by the Clerk without fee or charge, and if the registration be on the day immediately preceding the election, the Clerk shall enter the voter's name in the appropriate place on the registration book. If the registration be on the day showing his right to register, and thereupon the county court clerk shall issue to such person a certificate, showing that he is entitled to have his name placed upon the registration book for his precinct, and upon presentation of such certificate to the clerk of the election of such precinct, it shall be the duty of the clerk of election to immediately enter the name of such voter in its appropriate place on said registration book.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

| | | |
|---|---|---|
| Sidney Alfrey | W. L. Kimbrough | S. G. Smith |
| L. H. Ballard | Hebron Lawrence | R. Lee Stewart |
| H. H. Barnes | Joseph Lazarus | Wm. A. Stewart |
| Rodney G. Bryson | R. C. Marcum | T. R. Stultz |
| W. T. Carner | I. S. Mason | C. B. Truesdell |
| J. F. Carr | A. J. McCandless | John L. Trumbo |
| Charles M. Ciarlo | R. L. McFarron | J. Wood Vance |
| H. N. Dean | H. C. McLellen | Fred C. VanHoose |
| J. B. Denues | Mack J. Morgan | Daniel Vose |
| J. M. Foster | Estill W. Neel | A. M. Wash |
| Dr. T. H. Gamblin | T. C. Pryse | J. S. Webb |
| Talbert Holliday | Sherman Robbins | Gladstone Wesley |
| A. R. Hudson | Lee Rogers | V. M. Williamson |
| Adam W. Huff | B. A. Roth | —43 |
| Henry Kaufman | Dr. Lewis Ryans | |

Those who voted in the negative were:

| | | |
|---|---|---|
| W. T. Beckham | Robt. Humphreys | W. P. Scott |
| W. M. Boling | J. W. Johnson | Dr. B. F. Shields |
| T. L. Caudel | Frank Kennard | H. G. Skiles |
| B. L. Cox | J. M. Knott | H. A. Spillman |
| P. A. Day | Dr. S. D. Laughlin | John T. E. Stites |
| H. C. Duffy | Elmer Lusby | Frank L. Strange |
| J. W. Geveden | Claude D. Minor | J. Mack Thompson |
| Dr. W. L. Gossett | John T. Murphy | J. H. Thompson |
| A. L. Hamilton | Chas. A. Nelson | G. C. Waggoner |
| E. C. Hardin | B. F. Reynolds | W. G. Wheeler |
| D. J. Howard | Chas. R. Scott | —32 |

*Resolved,* That the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

## REPORTS OF STANDING COMMITTEES.

Upon the call of committees for reports the following bills were reported:

By Mr. Stultz, of the Committee on Appropriations:

House Bill No. 287. An Act to provide for the payment of premiums on bonds executed by State officers elected by the voters of the State at large.

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and ordered to be placed in the Calendar.

Mr. Lazarus made the point of order that this bill is already in the Orders of the Day.

The Speaker ruled that the point was well taken.

By Mr. Lawrence, of the Committee on Judiciary:

House Bill No. 379. An Act to exempt from tax one dog to each housekeeper actually residing upon a farm and engaged in farming.

With the expression of opinion that same ought to pass.

Mr. Howard offered a minority report to the effect that said bill ought not to pass, and moved that said minority report be substituted for the majority report.

Mr. Waggoner moved that the bill and all reports do lie on the table.

Upon a division, said motion to table was lost, yeas 27 and nays 33.

Then the question was taken on Mr. Howard's motion to substitute the minority report.

Said motion was disagreed to.

Mr. Lazarus moved that the majority report of the committee be accepted as a decision of the House.

Said motion was agreed to.

Then the bill was read at length the first time and ordered to be placed in the Calendar.

The House took up for consideration from the Calendar bills of the following titles:

House Bill No. 374. An Act to amend and re-enact Sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class, for the better government, administration and disposition and discipline of the police and fire department, and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years.

House Bill No. 434. An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said ap-

propriations are to be paid, and prescribing the manner in which same are to be paid.

House Bill No. 435. An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

House Bill No. 254. An Act to amend an Act entitled, "An Act for the benefit of the Kentucky Home Society for Colored Children," approved March 19, 1910, Chapter XXXIV, pages 92 and 93 as amended by the Act entitled, "An Act to amend an Act entitled, 'An Act for the benefit of the Kentucky Home Society for Colored Children,' approved March 19, 1910," Chapter CXLV, pages 555, 556, approved March 21, 1912, increasing the annual appropriation from $10,000.00 to $15,000.00 payable annually.

House Bill No. 404. An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per carload.

House Bill No. 191. An Act empowering the Boards of Education of Graded School Districts to make adoptions of text books for the districts, and manner in which adoptions shall be made.

House Bill No. 160. An Act to amend Section 1777 of the Kentucky Statutes, Carroll's 1915 Edition, by eliminating from the last sentence in said section, after the word "during," the words: "the year or years following, enough to

make up such deficit;" and inserting in lieu thereof the following words: "the year or years preceding, or year or years following, enough to make up such deficit;" and re-enact the same.

House Bill No. 364. An Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require clerks of the circuit courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921, to perform thereafter all the duties required by the Trustees of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of circuit clerks.

House Bill No. 169. An Act repealing Section No. 1159 of Carroll's Kentucky Statutes, 1915 Edition, relating to punishments for robbery and burglary, and the having in possession of tools and implements used by burglars, and re-enacting the same with certain modifications thereof.

House Bill No. 200. An Act repealing Section 1159, Kentucky Statutes, Carroll's 1915 Edition, and re-enacting the same.

House Bill No. 205. An Act to regulate, control and fix standard weights of corn meal, grits, hominy and corn flour, and the size of packages containing same; and to provide penalties for the violation of this Act.

House Bill No. 255. An Act to amend Sections 167, 171 and 174 of Kentucky Statutes, Carroll's Edition, 1915, relating to bastardy.

House Bill No. 344. An Act giving to Boards of Education of any school district in this State the right to require the parents, guardian or custodian of all children between the ages of fourteen (14) and sixteen (16) years, who are not enrolled in and attending a public, private or parochial school,

to cause such children to attend a continuation school, and to require employers having children between said ages in their employment to permit them to attend such school.

Senate Bill No. 21. An Act creating a County Board of Education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of county superintendent by said board, fixing his qualification, compensation and term of office and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the County Board of Education; providing for a levy of tax for common school purposes in each county, prescribing the duties of the county tax commissioner, the county court clerk; with reference to the assessment of the property subject to said tax and prescribing the duties of the County Board of Education and the fiscal court levying said tax and prescribing the duties of the sheriff in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for employment of teachers; providing for the appointment of district trustee and prescribing their duties.

House Bill No. 274. An Act authorizing the various counties of this Commonwealth to impose a license tax upon dogs, for the promotion of the live stock industry and the protection of live stock and poultry from damage by dogs, and regulating the keeping of dogs and authorizing their destruction in certain cases where any county has imposed a license tax on dogs; providing for the protection of licensed dogs and for dogs temporarily imported in such counties for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and providing for the listing of dogs by the county tax commissioner in counties where such license tax is imposed, and providing a penalty for the county tax commissioner's failure to so list same; providing for the assessment of damage done by dogs and the payment thereof by the county to the owners of live stock and poultry and of

damage to licensed dogs in counties where such license has been imposed; prescribing the duties of the County Court Clerk in counties where such license has been imposed; providing penalties for the violation of this Act in counties where such license has been imposed; and repealing all laws in conflict with this Act, and especially repealing all of Chapter CXII of the Acts of the General Assembly of 1918.

House Bill 309. An Act providing for the forfeiture of oil and gas leases for non-payment of any rental at the time the same shall become due.

House Bill 257. An Act to repeal Chapter LXXXIV of Kentucky Statutes, Carroll's Edition, 1915, being Sections 2591 to 2610 inclusive of said edition, Article 1 of said Chapter relating to Master and Apprentice and Article 2 to Master and Servant.

House Bill 429. An Act granting to women citizens the right to vote for Presidential electors, and requiring officers to perform duties with reference thereto.

House Bill 214. An Act entitled an act fixing the legal rate of rent in the Commonwealth of Kentucky.

House Bill 275. An Act creating a State Board of Examiners of professional engineers and architects, providing for the examination and licensing of professional engineers and architects, defining their qualifications, regulating the practice of professional engineering and architecture in the State of Kentucky and fixing penalties for violation thereof.

House Bill 30. An Act relating to landlord and tenant and especially to the lien created under a lease and to recovery of rent by the landlord.

House Bill 405. An Act to amend and re-enact Section 513 of the Kentucky Statutes, relating to indexing of conveyances.

House Bill 412. An Act to establish an Athletic Board of Control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest, and providing of penalty for violation of this act.

House Bill 400. An Act to provide for the condemnation of land by Electric Light and Power Companies.

House Bill 382. An Act requiring Railroad Companies operating by steam or otherwise as common carriers of passengers, to furnish separate toilets and other private conveniences for male and female passengers in all coaches wherein male and female passengers are permitted or required to be transported as passengers, in all cases where the distance over which said carrier operates shall be ten miles or more.

House Bill 389. An Act to amend Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies and all boats and other water craft propelled by the use of oil, gasoline or other means;" and being Section 1 of an Act of the General Assembly of January 15th, 1916.

Senate Bill 18. An Act to amend sub-section 7 of section 1019-a of the Act approved March 29, 1902, entitled: "An Act to provide for stenographic reporters for courts of continuous session."

House Bill 410. An Act to amend An Act of June 23, 1893, and which Act was itself amended by an Act of March, 1904, and especially amending Section 4348 of Kentucky Statutes, entitled "Passways."

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispensed with said bills were severally read the second time by their titles.

Ordered that said bills be placed in the Orders of the Day.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz:

House Bill 49. An Act to change and fix the time for holding terms of circuit court in the Fifth Circuit Court Judicial District of Kentucky (composed of the counties of Henderson, Union and Webster), and declaring an emergency.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Trumbo moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:25 P. M., adjourned.